

ADDITION TO AGENDAMinor Variance - Mr. Meech

Arising from the Minor Variance Appeal this evening had been the suggestion that there had been unnecessary delays in notifying residents of their right to appeal the minor variance application which had resulted in the Applicant erecting his building before the letters of notification had reached the surrounding residents.

Mr. Meech suggested that if Council felt there was any fault on the part of Municipal Staff, that this item should be discussed either this evening or at some future date.

However, subsequent to brief discussion, it was felt that Staff was in no way at fault but that there were problems with the Building Regulations which could be addressed at a later date.

Tax Exemption - Councillor Larsen

Councillor Larsen indicated that in speaking with Mr. Parsons of the Tax Department he had received the impression that there was quite a backlog of Applications for Tax Exemptions. He indicated that in one particular instance, he knew of a person who had applied for tax exemption in 1982 and had not received an answer; he has now received his 1983 tax bill with interest included in last year's balance.

The Councillor requested that a Report on the Applications for Tax Exemption be brought to the next Council Session.

However, Mr. Kelly advised that a report regarding applications for tax exemption would be coming to the Management Committee in the near future. Once dealt with at the Committee level, recommendations in their regard would be forwarded to Council.

Councillor Larsen indicated his satisfaction with the above response.

ADDITIONS TO NEXT COUNCIL AGENDA

The following item was added to the next Council Agenda:

- 75-80 Club -

INFORMATION ITEM

Warden MacKenzie advised that in response to the Rehab Centre invitation to Council, to Tour the facility and to enjoy a luncheon there, only eight Council Members had shown up and participated.

However, he advised that the luncheon was excellent and the Tour informative.

He also indicated that the work being carried on at the Centre is exceptional.

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

"THAT a letter be written to the Halifax County Rehabilitation Centre Administrator, in appreciation for the tremendous efforts being put forth by Staff at the Facility."
Motion Carried.

ADJOURNMENT

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

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

Therefore, there being no further business, the Council Session adjourned at approximately 9:30 P.M.

MINUTES & REPORTS

OF THE

FIRST YEAR MEETINGS

OF THE

FORTY - FIRST ^{Council} ~~MEETINGS~~

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

JULY COUNCIL SESSION

TUESDAY, JULY 5 and 19, 1983

&

PUBLIC HEARING

JULY 11 and 18, 1983

JULY COUNCIL SESSION - 1983

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PUBLIC HEARING

JULY 11, 1983

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Baker
Councillor Deveaux
Councillor DeRoche
Councillor Gaetz
Councillor Reid
Councillor Lichter
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Mont

ALSO PRESENT: Mr. G. J. Kelly, Municipal Clerk
Miss Lynn Henry, Acting Solicitor

SECRETARY: Christine E. Simmons

OPENING OF PUBLIC HEARING - THE LORD'S PRAYER

Warden MacKenzie brought the Public Hearing to order at 7:00 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

ANNOUNCEMENTS

Warden MacKenzie introduced Miss Lynn Henry of Mr. Cragg's Office who would be acting as Solicitor for the Public Hearing this evening while Mr. Cragg was vacationing.

PUBLIC HEARING

Warden MacKenzie then outlined to those present in the Council Chambers, the procedure to be followed for the Public Hearing.

APPLICATION NO. MDP-CH-W-01-83 and NO. ZA-CH-W-25-83
PROPOSED AMENDMENTS TO THE COLE HARBOUR - WESTPHAL MUNICIPAL DEVELOP-
MENT PLAN AND ZONING BY-LAW

Staff Report

Ms. Valerie Spencer, Supervisor of the Planning Policy Division approached Council at this time to review a Report regarding the proposed amendments to the Cole Harbour-Westphal MDP and Zoning By-Law. This Report read, as follows:

"On Monday, April 11, 1983, Council, by resolution, directed staff to amend the Cole Harbour-Westphal Municipal Development Plan to permit the establishment of motor vehicle repair establishments within the Highway Commercial Designation by development agreement. This resolution resulted from a Public Hearing on April 11, which considered accommodating such establishments through amendment of the Zoning By-Law. The impetus for this amendment by the By-Law was a request of T. C. Welding and Automotive Limited to establish an automotive welding outlet on Highway 7 within the Highway Commercial Designation. This request was supported by staff as being consistent with the intent of the Municipal Development Plan, and the staff report recommended adding, "motor vehicle repair establishments" to the list of permitted uses within the Highway Commercial (C-4) Zone. The proposed zoning amendment was, however, rejected by Council as it was felt that this alternative provided insufficient control.

At the present time, a motor vehicle repair establishment (such as that proposed by T.C. Welding and Automotive Limited) falls under the definition of a "service industry" and is thus permitted only within the I-1 (Light Industry) Zone. General motor vehicle repair activities are permitted within the C-4 (Highway Commercial) zone, but only in conjunction with service stations which also include the retail sale of lubricating oils and gasolines. It is important to note that there has, in recent years, been a trend towards increasing specialization in the motor vehicle repair industry. No longer are service stations relied upon to provide all types of repair; instead, the industry is now characterized by establishments specializing in paint and body work, and in the repair and replacement of brakes, tires, mufflers, glass, and transmissions.

The Cole Harbour-Westphal MDP provides support for the inclusion of motor vehicle repair establishments within the Highway Commercial Designation in two ways. First, the plan acknowledges the existence of certain commercial uses which benefit from a location on Highway 7. These uses are characterized as being dependent upon a regional market and requiring extensive use of land. The plan supports the continued development of these uses through the application of a Highway Commercial Designation to Highway 7. Secondly, and more specifically, policy P-54 supports commercial uses within the Highway Commercial Designation which make extensive use of land and serves the travelling public. As motor vehicle repair establishments clearly meet the latter criterion and are characteristically regionally-oriented activities which benefit from a highway location, their inclusion under the Highway Commercial is justifiable.

The concerns of the MDP over possible negative impacts of commercial development are reflected in the performance criteria listed in policy P-56 which must be considered in any proposed large scale commercial development. Although motor vehicle repair establishments are not generally large scale developments, many of the same concerns would apply such as separation from residential uses, vehicular access and egress, and the location and extent of open storage and-or display."

Ms. Spencer advised that Council had discussed the above information at length at the April 11, 1983 Public Hearing, at which time the Staff recommendation was to amend the Zoning By-Law and allow Motor Vehicle Repair establishments on the No. 7 Highway in the Highway Commercial Designation by right. However, at that time there was considerable public input and concern on behalf of Council that this would not give the Municipality enough control over development. Therefore, Council had agreed that the applications be dealt with on an individual basis. As mentioned in the above report, a resolution was passed on that evening directing Staff to prepare amendments to the MDP and the Zoning By-Law that would allow the Municipality to go to individual Development Agreements for automotive repair establishments. These two amendments, she advised were found on page 2 of the report and read, as follows:

A By-Law to Amend the Municipal Development Plan for Cole Harbour Westphal

1. The Municipal Development Plan for Cole Harbour - Westphal is hereby amended by inserting immediately following Policy P-57 the following:

"In recent years there has been a trend towards specialization in the motor vehicle repair industry, with shops offering individual services in the replacement and repair of brakes, tires, glass or transmissions, or in customizing, paint and body work. Although motor vehicle repair establishments are appropriate to highway locations, they may involve extensive parking and outdoor storage and display which should be subject to specific control mechanisms.

P-57A Notwithstanding Policy P-55, it shall be the intention of Council to only consider permitting automotive repair outlets according to the provisions of Sections 33(2) (b) and 34 of the Planning Act. In considering such developments, Council shall have regard to the provisions of Policy P-93 and to adequate separation from adjacent uses, appropriate vehicular access and egress, and to the location and extent of open storage and display and parking and loading areas."

2. The Municipal Development Plan for Cole Harbour - Westphal is further amended by adding immediately following P-92 (vi) (b) the following:

"; and (c) automotive repair outlets according to Policy P-57A."

A By-Law to Amend the Zoning By-Law for Cole Harbour - Westphal

1. The Zoning By-Law for Cole Harbour - Westphal is hereby amended by inserting immediately following Part 2.6 the following:

"2.6a AUTOMOTIVE REPAIR OUTLET means a building or part of a building or a clearly defined space on a lot used for minor or major repair of motor vehicles and may include paint and body repair, muffler, brake, tire and glass replacement, transmission repair and replacement, wheel alignment, and other customizing activities directly related to the repair or alteration of motor vehicles but shall not include the manufacturing or fabrication of motor vehicle parts for the purpose of sale nor the retailing of gasoline or other fuels."

2. and is further amended by inserting immediately following Part 3.6(i) the following:

"; and (j) automotive repair outlets."

Ms. Spencer advised that the above amendments must be approved by separate resolutions of Council.

Questions From Council

None.

Speakers In Favour of Application MDP-CH-W-01-83

None.

Speakers In Opposition to Application MDP-CH-W-01-83

None.

Motion and Discussion of Council

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

"THAT the By-Law to amend the Municipal Development Plan for Cole Harbour Westphal be adopted (as specified in Staff Report above) to permit the establishment of Motor Vehicle Repair Facilities by Contract."

Motion Carried.

Speakers in Favour of Application ZA-CH-W-25-83

None.

Speakers in Opposition to Application ZA-CH-W-25-83

None.

Motion and Discussion of Council.

It was moved by Councillor Mont, seconded by Councillor DeRoche:

"THAT Council approve the amendment to the Zoning By-Law for Cole Harbour - Westphal, as presented by Staff."
Motion Carried.

FOREST HILLS PLANNED UNIT DEVELOPMENT AGREEMENT AMENDMENTSStaff Report

Mrs. Dorothy Cartledge came forward at this time to advise that Council was being requested to deal with amendments to the Planned Unit Development Agreement between the Nova Scotia Housing Commission and the Municipality which was originally entered into in 1976. She advised the Department of Planning and Development is recommending the following amendments:

Proposed Changes

- Town Centre Stage 1 - Changes from all multiple family to 50% multiple family and 50% single family semi-detached.
- Town Centre Stage 2 - Addition of multiple family replacing small amount of public parkland.
- Town Centre Stage 3 - Reduction in residential uses on cul-de-sac. Minor increase in public park size.
- Town Centre Stage 4 - Split and reduction of institutional uses with the addition of a roadway, apartments and multiple family uses.
- Town Centre Stage 5 - Change from commercial, apartment and multiple family mix to commercial and multiple family to the north.
- Town Centre Stage 6 - Change from commercial, multiple family, apartments and single family mix to totally residential apartments, multiple family and single family - semi-detached uses.
- Phase 9 - Deletion of multiple family cul-de-sac on lower eastern side of this phase replaced with institutional blocks. Western end of this phase changed from reserved open space to single family - semi-detached, multi-family institutional.
- Phases 10 and 11 - Reserved open space replaced by single family semi-detached.

Mrs. Cartledge advised that staff, in addition to representatives of the Forest Hills Homeowner's Association agree with the following amendments to the Forest Hills Planned Unit Development Agreement. Items 1 and 2 originate at the request of the Engineering and Works Department. Items 3 to 6 inclusive, have been mutually agreed upon by the Nova Scotia Housing Commission, The Forest Hills Homeowner's Association and Staff.

1. A. Agreement from City of Dartmouth that the present allotment of 300 gallons of sewage per minute may be increased to handle additional flow generated when City of Dartmouth upsize their pumping station on the Number 7 Highway in Westphal.
- B. Any approval will be subject to a study carried out by the Municipality to determine if any reserve capacity exists in the trunk sanitary sewer system.
2. All the lands presently designated "Reserved Open Space" will be changed to reflect a specific land use, i.e. single family, semi-detached or parkland.
3. The land use of the Heritage Farm Site to remain unchanged.
4. Town Centre Stage 5: The illustration of the private 50 foot buffer strip to be deleted from the Revised Design Plan Map 11. The text of the Master Plan amendments that refers to the buffer to remain.
5. Town Centre Stage 6: The site presently designated as a Commercial use to be changed to the apartment land use designation.
6. It will be the responsibility of the Nova Scotia Housing Commission to ensure that a minimum four foot chain link fence is constructed to the west of the commercial development property in Town Centre Stage 5. The cost of this fence, in addition to the maintenance of an adjacent buffer zone will be the responsibility of the developer.

Mrs. Cartledge advised that included with the Report distributed to Council (refer to report if necessary for additional clarification), there is a letter from the Resident's Association, signed by the Chairman of the Community Affairs Committee, Mr. Ronald Cooper, who has indicated that the Association is satisfied with the changes. She also pointed out that the Department of Planning and Development has not had any phone calls in response to the advertisement of this Hearing, but had one enquiry from a resident who was not objecting but was interested and wished to be apprised of all the facts surrounding the Amendments.

Questions From Council

None.

Speakers in Favour of the PUD Agreement Amendments

Mr. Harold Dillan: Mr. Dillan advised that he was representing the Nova Scotia Housing Commission. On behalf of the Commission he was present to speak in favour of the amendments.

Mr. Dillan advised that the Housing Commission has negotiated the amendments with County Staff and with the Resident's Association over the last year. He, therefore, felt that the proposed amendments were an appropriate solution to resolving the continuing master planning process for Forest Hills. He advised that he would be happy to answer any questions Council may have relative to the proposed amendments.

There were no questions from Council and no further speakers in favour.

Speakers in Opposition to the PUD Agreement Amendments

None.

Motion and Discussion of Council

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

"THAT the amendments to the Forest Hills PUD Agreement as requested by the Nova Scotia Housing Commission and recommended by Staff be approved by Municipal Council." Motion Carried.

APPLICATION NO. DA-EP-CB-3-82-06, PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE MUNICIPALITY OF THE COUNTY OF HALIFAX AND THE FOUNDATION COMPANY OF CANADA LIMITEDStaff Report

Mrs. Cartledge advised that this application was a request by the Foundation Company of Canada Limited to carry out Industrial activity on property located on the Eastern Passage Highway.

Utilizing an over-head map, Mrs. Cartledge pointed to the proposed site of this Industrial activity.

Mrs. Cartledge further advised that the site in question is approximately 1.74 acres and at the moment is zoned C-2. She advised that under the terms of the Eastern Passage - Cow Bay Zoning By-Law, the Company are permitted to apply for a Development Agreement on this property.

Mrs. Cartledge reviewed with Council the Agreement which was self-explanatory.

This Agreement detailed the following:

1. Restrictions on use of the Property;
2. Buildings to be erected on the Property;
3. Maximum Height Buildings and Structures;
4. Maximum Lot Coverage;
5. Minimum Distance Between Buildings;
6. Parking Requirement;
7. Fencing Requirement;
8. Other Visual Barriers;
9. Sign Requirements;
10. Right-Of-Way Along Property Line L;
11. Matters Incidental to the Agreement.

Please refer to Agreement if clarification of the above is required.

Questions From Council

Councillor Eisenhower questioned Mrs. Cartledge with regard to the adjacent uses; he recalled that the property had been before Council previously.

Mrs. Cartledge advised that it had; prior to the adoption of the MDP, the Foundation Company of Canada Ltd. applied for and received Industrial Zoning. They were unable to proceed with the development of the site and with the adoption of the MDP and Zoning By-Law they were zoned back to a Commercial status; they were, however, well aware of that. She advised that once the Zoning By-Law was effective they applied for the Development Agreement.

Councillor Eisenhower advised that there had been an on-going problem relative to the access to the neighbouring graveyard. He advised that, it now appears this problem has been resolved.

Mrs. Cartledge agreed that it had been resolved and (going to the map) indicated how it had been resolved.

Councillor MacKay referred to item Number Three in the Agreement which indicated that the maximum height of the buildings should not exceed fifty feet in height; he questioned whether that was compatible to provisions in the MDP for that area. He questioned this, as it had been his understanding that uniform across the Municipality was a height maximum of thirty five feet with the exception of the Commercial Core in Sackville; provision for that had been made in the Sackville MDP.

Mrs. Cartledge advised that there is no height restriction in either the Industrial Zone or the Light Industrial Zone.

Speakers in Favour of the Development Agreement - None

Speakers in Opposition to the Development Agreement - None

Motion and Discussion of Council

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

"THAT the Municipality of the County of Halifax enter into a Development Agreement with The Foundation Company of Canada Limited as brought forward by Staff." Motion Carried.

ADDITION TO AGENDA

Councillor Deveaux advised that the Town of New Waterford is celebrating 70 years of Incorporation this Week-end. In response to this he proposed the following motion:

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

"THAT the Municipality send a letter of congratulations to the Town of New Waterford on their 70 years of incorporation and wishing them well in the future." Motion Carried.

ADJOURNMENT

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

"THAT the Public Hearing adjourn." Motion Carried.

There being no further business, the Public Hearing adjourned at 7:35.

PUBLIC HEARING

JULY 18, 1983

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Margeson
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor DeRoche
Councillor Adams
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. Robert Cragg, Municipal Solicitor

SECRETARY: Christine E. Simmons

OPENING OF PUBLIC HEARING - THE LORD'S PRAYER

Warden MacKenzie brought the Public Hearing to order at 7:05 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

PUBLIC HEARINGS

Warden MacKenzie outlined to those present in the Council Chambers, the procedure to be followed for the Public Hearing.

REZONING REQUEST RA-SA-10-83-16

Warden MacKenzie advised that this was a request from Dr. William S. Camp, to rezone portions of Lot "A" of the lands of Lillia J. Clough, located on Sackville Drive (Highway No. 1) at Sackville, District 16, from R-1 (Single Unit Dwelling) Zone to R-4 (Multi-Unit Dwelling) Zone.

Staff Report

Mr. Mike Hanusiak came forward to provide information to Council relative to the rezoning request. He advised that the Public Hearing had been duly advertised in the local newspaper and no responses had been received, either in favour or in opposition to the request to rezone.

Utilizing an overhead project map, Mr. Hanusiak indicated the location of the subject property and the surrounding uses.

He outlined portions of the staff report which advised:

"It should be noted that the applicant has verbally stated that it is not his intention to develop a series of townhouses for individual sale. Rather, the development, while taking on the appearance of town or rowhouses, will be completely rental in nature. The applicant has further stated that figure 4 (included in report) is only a conceptual plan of the proposed development and that should he be successful in gaining the R-4 zoning, the plans will be adjusted so as to conform to the requirements of the Sackville Zoning By-Law."

With regard to the existing zoning, he advised that approximately 210 feet of the subject property is zoned C-2 (General Business) Zone, with the remainder carrying an R-1 Zone. It is the latter of the two zones that the applicant is seeking to have changed.

The Staff Report continued, advising:

Municipal Development Plan: The avenue by which Council may consider and if deemed advisable, approve the proposed rezoning is set forth under Policy P-31 of the Municipal Development Plan for Sackville.

"P-31 Notwithstanding Policy P-30, within the Urban Residential Designation, Council may consider permitting low density residential developments which are of a scale and location not inconsistent with existing neighbourhoods. In this regard, two unit dwellings may be permitted by amendment to the zoning by-law. In considering such amendments Council shall have regard to the following:

- (i) the adequacy of separation distances from low density residential developments;
- (ii) the amount of useable open space near the use;

- (iii) that rowhouse dwellings do not gain direct access to individual units from collector roads as identified on the Transportation Map (Map 3); and
- (iv) the provisions of Policy P-104."

The following were the comments of the Department of Planning and Development:

1. The proposed rezoning is in conformity with the intent of the Plan as required by Policy P-104(i).
2. The Department of Engineering and Works has confirmed that the water and sewer services in the area are capable of accomodating the proposed number of units, thereby satisfying requirement (b) of Policy P-104(ii).
3. Of major importance in considering this application is the impact the proposed dwellings will have on surrounding land uses. From site investigations of the subject property, it was determined that the proposed rezoning will have little or no impact on the surrounding area. The reasons for this are two-fold. First, the topographic features of the property, coupled with the maximum height restriction in the R-4 zone (35 ft) will make it very difficult to see the proposed dwelling units from the major residential area along Kaye Street. Second, given that the proposed dwellings are to be located some 210 feet away from Highway No. 1, their size and shape will not interfere with the established scale of buildings along the commercial corridor.

The recommendation of the Planning and Development Department was that the rezoning of a portion of Lot "A" of the lands of Lillia J. Clough, located on Sackville Drive (Highway No. 1), at Sackville, From R-1 (Single Unit Dwelling) Zone to R-4 (Multi-Unit Dwelling) Zone be approved by County Council.

Questions From Council

Councillor Wiseman questioned whether the two black lines running alongside the property on Figure 3 in the Zoning Report, represented an easement.

Mr. Hanusiack advised that it is not an easement but is a property that belongs to someone; however, the Department could not find out who the owner was. He did confirm that it was not an easement. He advised that it was only approximately 25 feet in width.

Speakers In Favour of Application

Dr. William S. Camp, Applicant: Dr. Camp answered Councillor Wiseman's question relative to the ownership of the area shown on the map. He advised that it was a 12 foot right-of-way belonging to a Mr. Reardon, who he has been unable to locate at this point. He advised that the proposed development he has outlined is in keeping

with the development and zoning around the area. He is proposing a series of quality, low rise housing that will complement the area and compliment his total plan of relocating his own office which will be in front.

Questions From Council

None.

There were no further speakers in favour of the Application.

Speakers in Opposition to the Rezoning Request

None.

Motion and Discussion of Council

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

"THAT the rezoning of a portion of Lot "A" of the lands of Lillia J. Clough, located on Sackville Drive (Highway No. 1), at Lower Sackville, From R-1 (Single Unit Dwelling) Zone to R-4 (Multi-Unit Dwelling) Zone be approved by County Council."
Motion Carried.

REZONING REQUEST, RA-CH-W-11-83-07

Warden MacKenzie advised that this was a request to rezone portions of the lands of the Nova Scotia Home for Colored Children, Located on Highway No. 7, at Westphal, District No. 07, from R-1 (Single Unit Dwelling) Zone to P-2 (Community Facility) Zone.

Staff Report

Mr. Mike Hanusiak also outlined to Council this request to rezone.

He advised that the application had been advertised in the local newspaper as per the provisions of the Planning Act, and no response had been received either in favour or in opposition to the rezoning request.

Mr. Hanusiak advised that the intent of the applicants is to permit the former Henry G. Bauld School Building to be converted to a community recreation centre for area residents.

He then proceeded to outline the Staff Report which advised:

Municipal Development Plan: The avenue by which Council may consider and if deemed advisable, approve the proposed rezoning is set forth under Policy P-37 of the Municipal Development Plan for Cole Harbour-Westphal.

"With reference to Policy P-67, it shall be the intention of Council to consider permitting most community facility uses within the Residential A or B Designations, by amendment to the zoning by-law."

Criteria for Evaluation: In order to ensure that the proposed rezoning will not jeopardize either the spirit of the Municipal Development Plan or the quality of life in the planned area, Council has directed that all rezoning applications have regard to the applicable provisions of Policy P-93 of the Plan.

Comments of the Department of Planning & Development: The Department of Planning and Development recommends that the proposed rezoning be approved for the following reasons:

1. The proposed rezoning is in conformity with the intent of the Plan as required under clause (i) of Policy P-93.
2. The conversion of the former Henry G. Bauld School to a community recreation centre is seen as a valuable contribution to the present inventory of social and cultural amenities in the Westphal area.

Recommendation: Based on the findings of the Department of Planning and Development, it is recommended: That the rezoning of a portion of the lands of the Nova Scotia Home for Colored Children, from R-1 (Single Unit Dwelling) Zone to P-3 (Community Facility) Zone, be approved by County Council.

Questions From Council

Council questioned Mr. Hanusiak briefly.

Speakers in Favour of Rezoning Request

Mr. Marvin States, Applicant: Mr. States advised that the requested rezoning was to provide recreation for the children; they presently have outside recreation but they require something indoors.

Questions From Council

Mr. States was questioned briefly by Municipal Council.

There were no further speakers in favour of the rezoning request.

Speakers in Opposition

None.

Motion And Discussion of Council

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

"THAT the rezoning of a portion of the lands of the Nova Scotia Home for Colored Children, from R-1 Zone to P-2 Zone, be approved by County Council."

Motion Carried.

ADJOURNMENT

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

"THAT the Public Hearing adjourn."
Motion Carried.

Therefore, there being no further business, the Public Hearing adjourned at 7:30 P.M.

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REGULAR COUNCIL SESSION

JULY 5, 1983

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Margeson
Councillor Poirier
Councillor Gaudet
Councillor Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor MacKay
Councillor McInroy
Councillor Eisenhower
Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. Robert Cragg, Municipal Solicitor
Mr. G. J. Kelly, Municipal Clerk

SECRETARY: Christine E. Simmons

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden MacKenzie brought the Regular Council Session to order at 6:05 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

ANNOUNCEMENTS

Warden MacKenzie advised that Councillor Wiseman would not be in attendance this evening as she was tending to her ill husband. As well, Councillor MacDonald and Councillor Walker were away attending the EMO Conference in Arnprior.

The Warden welcomed the Honourable Ken Streach, Minister of Fisheries, to the Council Chambers who was present to speak on one of the issues to be dealt with this evening as well as former Councillor John Benjamin who accompanied Mr. Streach.

ADDITION TO AGENDA ITEMS

Warden MacKenzie requested whether any Councillors had any items of importance to be added to this evening's agenda. The following item was added by Councillor MacKay:

- Disposal of Hazardous Waste -

LETTER AND CORRESPONDENCE

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

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

Letters of appreciation for receipt of 1983 Grants to Organizations had been received from the following:

1. Nova Scotia Youth Orchestra;
2. Ecology Action Centre;
3. The Salvation Army;
4. Youth Alternative Society;
5. The Canadian Red Cross Society;
6. The Arthritis Society;
7. Nova Scotia Firefighters School.

Subsequent to a review of these letters,

It was moved by Councillor MacKay, seconded by Councillor DeRoche:

"THAT the Letters of appreciation for Grants received, noted above, be received by Municipal Council."
Motion Carried.

There were no further Letters and Correspondence.

MANAGEMENT COMMITTEE REPORT

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

"THAT the Management Committee and Supplementary Management Committee Reports be received."
Motion Carried.

Additions to Bell Park Academic Centre and Musquodoboit Rural High School

Mr. Kelly first outlined the recommendation for the Bell Park Academic Centre from the Supplementary Management Committee Report. This Report read:

"The Department of Education has approved a program of an addition to the Bell Park Academic Centre and renovations and upgrading to the Musquodoboit Rural High School.

Prior to Undertaking the construction, Government Services requires these school properties be deeded to her Majesty, the Queen on condition that the properties be transferred back to the Municipality when the projects are completed. Copies of the deeds have been received for execution by the Municipality.

The Committee has reviewed this request and the Committee recommends to Council for approval the transfer of the Bell Park Academic Centre Property to Government Services, pending construction of the school addition."

Subsequent to questioning from Councillor MacKay, Mr. Meech advised that neither of these schools had been legally conveyed to the School Board.

Councillor Lichter questioned whether there were any changes in the planned renovations to the Bell Park Academic Centre than originally proposed two years ago. He was advised by Dr. Morrison of the District School Board, who had joined Council for the discussion of the two schools, that there were no changes proposed for the renovations to this school.

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

"THAT the Management Committee recommendation to Council regarding the Bell Park Academic Centre be approved."
Motion Carried.

Mr. Kelly then outlined the recommendation of the Management Committee regarding the Musquodoboit Rural High School, advising:

"The Management Committee does not recommend to Council for approval transfer of the Musquodoboit Rural High School, as the proposed renovations are not as extensive as previously indicated, and therefore, the Committee feels the renovations and upgrading of the school should be carried out as originally intended."

Councillor Reid advised that the Management Committee recommendation differed from the Staff recommendation brought to the Management Committee, as he had pointed out to the Committee that the original proposal for improvements to this school were much more extensive including enlargement of the gymnasium facility. He felt that if the less extensive improvements were carried out at this time, then the school would never actually receive its regulation size gymnasium.

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

"THAT the Management Committee recommendation to Council regarding the Musquodoboit Rural High School, be approved."

Mr. Ken Streach, Minister of Fisheries as well as MLA for the area in question, requested that he be permitted to speak to Council on this issue. As well, Dr. Morrison of the District School Board came forward to answer any questions Council may have relative to this issue.

It was agreed by Council that Mr. Streach address Council on this issue.

Mr. Streach advised that this project has been a predominant issue for several years. He advised that he was appalled by the deteriorated conditions at the Musquodoboit Rural High School, which was one of the first High Schools in the Province.

Mr. Streach advised that in early 1980, Cabinet had approved a renovation project at the school in the amount of \$2.3 million. This project had been removed from the moratorium in 1982 but had been later deferred due to the economic conditions. However, a smaller project has been approved for repairs to the school, including the gymnasium and cafeteria, which had been closed for several months during the last school year, but not on as grand a scale as had been originally proposed. Mr. Streach felt it was time that the school was repaired rather than wait for the more extensive renovations.

Mr. Streach then outlined in detail the repairs proposed for the school at this time which included the repairs to the gymnasium.

Mr. Morrison advised Council that the School Board position was no different from that of Mr. Streach, MLA. He advised that the School Board would, of course, like to see the gymnasium enlarged, but that the facility desperately needed to be rejuvenated now.

Councillor Lichter advised that many District No. 13 students attend Musquodoboit Rural High School. He reiterated the comments of Mr. Streach, advising that the School Gymnasium and Cafeteria had been closed last September for several months, until minor repairs had been carried out. He advised that since that time, he had received numerous phone calls in regard to the school, none of which had requested a larger gymnasium; what was requested were repairs to the present facility. Councillor Lichter urged Council to defeat the motion on the floor and to pass another motion approving the recommendation of the School Board and the MLA of the area.

Councillor Reid indicated his wish to have the original commitment of \$2.3 million for extensive renovations carried out, inclusive of a regulation size gymnasium.

Councillor Mont felt that what was being offered at the present time should be accepted; otherwise, the funds may be spent on something else and it may be years before any repairs or renovations could be carried out on the High School.

Councillor Gaetz advised that he had seconded the original motion, in order to get the issue on the floor for discussion. He felt that to pass the motion, however, would hold the project up for years to come.

Therefore, he encouraged Council to defeat the motion and to subsequently approve the recommendation of the School Board and the MLA for the area.

Subsequent to further discussion, the question was called on the original motion.

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

"As written previously."
Motion Defeated.

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

"THAT the property of the Musquodoboit Rural High School be deeded to Her Majesty, the Queen on the condition that it be transferred back to the Municipality on completion of the proposed renovation project."
Motion Carried.

Subsequent to the above, Mr. Morrison and Mr. Streach retired from the Council Chambers.

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

"THAT the balance of Supplementary Management Committee Report and the Management Committee Report be tabled until completion of the Public Hearing and the Planning Advisory Committee Report."
Motion Carried.

PUBLIC HEARING

Warden MacKenzie outlined to those present in the Council Chambers, the procedure to be followed for the Public Hearing.

Development Agreement Between Basil J. MacDougall and The Municipality of the County of Halifax - Staff Report

Mr. Mike Hanusiak, Staff Planner came before Council to outline the Proposed Development Agreement between Basil J. MacDougall of Sackville and the Municipality of the County of Halifax. Copies of the Agreement had been distributed to all Council Members - Please refer to Agreement for clarification of the terms and conditions.

Mr. Hanusiak outlined the terms and conditions applicable to the agreement which would allow Mr. MacDougall to erect, construct or otherwise locate a single unit dwelling on the Property at Lot 12 of the Basil MacDougall Subdivision, Sackville. (Please refer to agreement - distributed to all Council Members - for clarification of all 21 terms and conditions)

In particular Mr. Hanusiak referred to terms and conditions, no. 3 regarding the minimum yard requirements which were as follows:

Minimum Front Yard	20 feet
Minimum Side Yard - Northern Boundary Line	8 feet
Minimum Side Yard - Southern Boundary Line	30 feet
Minimum Rear Yard	30 feet

Questions From Council

None.

Speakers in Favour of Development Agreement

None.

Speakers in Opposition to Development Agreement

None.

Motion and Discussion of Council

It was moved by Councillor MacKay, seconded by Councillor DeRoche:

"THAT the Municipality enter into a Development Agreement with Mr. Basil J. MacDougall of Sackville for land located at Lot 12 of the Basil J. MacDougall Subdivision as outlined in the Staff Presentation to Council."

Motion Carried.

PLANNING ADVISORY COMMITTEE REPORT AND SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

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

"THAT the Planning Advisory Committee Report and the Supplementary Planning Advisory Committee Report be received."

Motion Carried.

Planned Unit Development Agreement No. 3-79-14, Cobequid Industrial Park, Cobequid Road, Halifax County, Nova Scotia

Mr. Kelly outlined this item from the Planning Advisory Committee Report, which read:

"The Committee considered this Agreement, at which time question was raised as to the actual owner of this property. Mr. G. R. Pearson of Cobequid Industrial Park Limited Partnership indicated to the Committee that there has been no change regarding negotiations, and that they want to proceed with the agreement and the project. He stated that there would be a demand for the Industrial Park, once it is established, and that economic benefits would come into the County as a result of the Park. He also informed the Committee that, at this time, the clause regarding the interchange is an unworkable restriction. The Committee discussed these and other items, after which, the following motion was passed: That the Planned Unit Development Agreement No. 3-79-14, Cobequid Industrial Park, Cobequid Road, Halifax County, N.S.

be recommended to Council for Public Hearing on the condition that item 2, page 2, concerning tenders for an interchange, be deleted from the agreement, and that a clause be added to the agreement establishing a Monitoring Board for the Park which would include residents of the area."

The recommended date for the above proposed Hearing was August 15, 1983.

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

"THAT a Public Hearing be held August 15, 1983 to deal with PUD Agreement No. 3-79-14, Cobequid Industrial Park, Cobequid Road, Halifax County, N.S., on the condition that item 2, page 2, concerning tenders for an interchange, be deleted from the Agreement, and that a clause be added to the Agreement establishing a Monitoring Board for the Park which would include residents of the area."

(See Motion to Amend).

Councillor Lichter advised that legally Council did not have to hold another Public Hearing as one had already been held and closed. The recommendation (by motion) which had resulted from that previous Public Hearing had been approval of the PUD in principal subject to the findings of the Environmental Control Council. He advised that those findings are incorporated in the PUD Contract with the exception of the following:

1. A change from the previous recommendation of a Sewage Treatment Plant to two Holding Tanks;
2. Storm Water Management at the Site.

The Councillor also advised that although Council was not legally obligated to hold another Public Hearing, it may be morally obligated to do so, limiting the discussion to the two above items.

It was amended by Councillor Lichter, seconded by Councillor DeRoche:

"THAT the August 15th Public Hearing dealing with the Cobequid Industrial Park PUD, limit discussion to: 1) Holding Tanks; 2) Storm Water Management."

Councillor McInroy indicated his opinion that there was no requirement for another Public Hearing. It was his view that a Public Hearing had already been held subsequent to which an Environmental Control Hearing had been held. He advised that the ECC had already made decisions with regard to the two methods of waste disposal mentioned above; therefore, no further Public Hearing was necessary.

Solicitor Cragg agreed with Councillor McInroy advising that it may not be in the best interest of the Municipality to hold another Public Hearing. He advised that the Municipality had an obligation to the Developer as well as to the Residents and part of that obligation was not to unnecessarily hold up the Development.

Councillor Snow was opposed to the amendment as he indicated his residents desired a full Public Hearing. Councillor Deveaux was in agreement with Councillor Snow.

However, it was felt by Councillor MacKay that to review the previous 10-hour Hearing would be redundant and that discussion should indeed be limited to the above mentioned two items.

Councillor Mont was in agreement with Councillor McInroy and the Solicitor that another Public Hearing was not required at all.

Councillor DeRoche read to Council the motion which had resulted from the previous Hearing and gave his opinion that the Hearing had not been closed but only adjourned to a future date. He felt that the Hearing should be reconvened and limited to discussion of the two items specified in the amendment.

At this time, Mr. Kelly read to Council a letter which had been received from Davis, Clark & Associates, Barristers and Solicitors on behalf of Cobequid Industrial Enterprises Limited. This letter requested that Mr. Clark be given an opportunity to address Council on the question of having a further Public Hearing before approval is given to the PUD.

It was noted by the Solicitor that Council would have to agree in whole to any presentation of Mr. Clark.

Councillor Deveaux was the sole dissenting voice in the agreement; therefore, Mr. Clark was unable to address Council on this issue.

Councillor Deveaux was opposed to Mr. Clark speaking on the issue as he felt if Mr. Clark was heard then it would only be fair for the residents point of view to be heard, resulting in a type of mini Public Hearing this evening.

Subsequent to further brief discussion, the question was called on the amendment.

It was amended by Councillor Lichter, seconded by Councillor DeRoche:

"As written previously."
Amendment Carried.

The question was then called on the motion as amended.

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

"THAT a Public Hearing be held August 15, 1983 to deal with PUD Agreement No. 3-79-14, Cobequid Industrial Park, Cobequid Road, Halifax County, N.S. on the condition that item 2, page 2, concerning tenders for an interchange, be deleted from the Agreement, and that a clause be added to the Agreement establishing a Monitoring Board for the Park which would include residents of the area and further on the condition that discussion be limited to:
1) Holding Tanks; 2) Storm Water Management."
Motion Carried.

The Deputy Warden indicated his opinion that the area Councillor should also be on the Monitoring Board. This suggestion was taken under advisement and would be discussed at the Public Hearing, August 15th.

Planned Unit Development Agreement No 1-82-14, Metro Aggregates Ltd.

Mr. Kelly also outlined this item from the Planning Advisory Committee Report which read:

"The Committee reviewed this report, at which time staff indicated that enough information has been obtained for Council to proceed to a Public Hearing, after which, negotiations could continue if Council so wished. Following Council's approval and agreement to negotiate, if that is the decision, the Council and residents could inform the Planning Department exactly what they want in agreement. After further discussion, the following motion was passed: That the Planned Unit Development Agreement No. 1-82-14 be recommended to Council, and that the recommended date for Public Hearing be August 8, 1983."

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

"THAT a Public Hearing be held August 8, 1983 to deal with PUD Agreement No. 1-82-14."
(See Motion to Amend).

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

"THAT the date of the Public Hearing for PUD Agreement No. 1-82-14 be deferred until October 3rd."
Amendment Defeated.

Prior to the defeat of the amendment Councillor Snow indicated to Council that he wished the deferrment in order to research the issue further. However, Council was not in agreement with the deferrment and so defeated the amendment.

The question was then called on the original motion.

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

"As written previously." Motion Carried.

Undersized Lots - F 255-83-9, Lands of Desmond & Lucy Dobson

Mr. Kelly advised that the PAC had reviewed this application, which requested final approval under the undersized lot legislation for Block DD-1 of the lands of Desmond & Lucy Dobson.

The purpose of the request is to enable Lot DD-1 to be subdivided from the existing property which contains approximately 30 acres. Block DD-1 having 2.24 acres has only 25 feet of road frontage, falling short of the Municipality's regulations by 50 feet. The reason for the reduced frontage is that the remaining property must be left in an approval state, requiring at least 75 feet of road frontage. As it appears no extra frontage can be acquired by the applicant, Block DD-1 can only receive approval through the Undersized lot legislation.

Mr. Kelly advised that further to discussion, the Planning Advisory Committee had passed the following motion: That a Public Hearing be held for application F 255-83-9 at the Regular Council Session on August 2, 1983 at 7:00 P.M.

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

"THAT a Public Hearing be held August 2, at 7:00 P.M. to deal with Undersized Lot Application F 255-83-9."
Motion Carried.

City of Halifax, Amendment to Plans and Zoning By-Law, Re: Annexed Areas

Mr. Kelly outlined this item advising that the Committee discussed the notification for Public Hearing by the City of Halifax and expressed concern that the City is planning action for an area where there is still uncertainty as to future jurisdiction - pending finalization of action by the County. After reviewing these notices, the following motion was passed: That this matter be presented to Council at the July 5th, 1983 Session with the recommendation that the Solicitor appear at the Public Hearing to state the County's objection to these plans by the City of Halifax.

Councillor Lichter advised Council that by "solicitor" the Planning Advisory Committee meant, Solicitor Pugsley who is representing the Municipality in the annexation issue.

Councillor Lichter also advised that the objections to be stated at the Public Hearing are not particular objections but is the objection to the fact that the City of Halifax would even be making plans for land which the Municipality still disputes as belonging to the City. He requested of Solicitor Cragg if this was an acceptable approach and was advised by Mr. Cragg that it was.

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

"THAT Solicitor Pugsley appear at the City of Halifax Public Hearing to state the Municipality's objection to the plans by the City of Halifax."
Motion Carried.

Mr. Meech advised that Staff would communicate with Mr. Pugsley with Council's directive.

SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

The Supplementary Report had been received by Council previously.

Public Hearings - Planning Act

A memorandum from Ms. Valerie Spencer had been circulated to the Planning Advisory Committee and to Council. This Report advised:

"The new Planning Act has standardized notification and public hearings procedure for both plans and by-laws. In short, the adoption of zoning by-laws and any amendments to those by-laws must now satisfy certain statutory requirements with which Council should be familiar.

The most important alteration to public hearing procedures for rezonings is contained in section 43(1) of the Act.

43(1) A planning strategy (zoning by-law or amendment to a zoning by-law) shall be adopted by a majority vote of the whole council after consideration of any submissions received...

In order to satisfy the Planning Act, a rezoning can no longer be heard simply by a quorum of council unless the vote subsequently taken is unanimous by those eleven (11) members. To decide any rezoning, at least eleven votes in the affirmative or eleven votes in the negative will be required.

As determined by the Municipal Solicitor during the adoption proceedings for the municipal development plans, the purpose of the public hearing is for voting council members to hear submissions for or against the application. Unless councillors have heard the arguments they will not have satisfied the statutory requirements, and therefore, may not generally vote. It is important that in addition to satisfying the "majority vote" requirement of the Act, all voting members must also be present to hear the major portion of submissions made at the hearing. Councillors who are detained and cannot attend a hearing until after a substantial number of arguments have been given may not be eligible to vote.

The Municipal Solicitor should determine at all public hearings, whether or not an adequate number of councillors who have heard arguments pro and con are present to make a decision. If not, the public hearing will have to be rescheduled."

Mr. Birch clarified Section 43(1) advising this would mean that if only 11 members of council were present, then all 11 would have to vote in favour of the motion, as any motions would have to be approved by a majority of the Council of 21, whether all members were present or not.

Councillor DeRoche indicated his understanding that there must be a majority vote in the affirmative but there must also be a majority vote in the negative to decide an issue, regardless of the number of council members in attendance. In addition, only those who have heard the substantial or major portion of the argument are, in fact, able to vote.

Mr. Birch advised that if an issue fails to meet the required votes for an approval, the issue or proposed change would not succeed, therefore, it does not need 11 votes to deny an issue since the required vote was not there to approve it.

Councillor Lichter expressed opposition to Section 43(1) of the Planning Act. For instance, he advised, that if only 13 or 14 members of Council were present for a Public Hearing, which would certainly be possible during the summer months when many people take their vacations, ten Councillors could vote in the affirmative and three or four in opposition, thus defeating an issue. He felt this would result in the frequent rescheduling of Public Hearings and would cost a great deal more of taxpayers money.

It was moved by Councillor Lichter:

"THAT until the Planning Act requirement for a majority vote of Council changes, the Municipality carry on with the procedure it has been using to date."
(Motion Out of Order).

Solicitor Cragg advised that since the above motion contravenes the Planning Act which is already Law, then it was not a proper motion and could not be considered by Council.

Councillor Lichter then questioned whether Public Hearings held under such conditions, as specified above, could be rescheduled and was advised by the Solicitor that this would be up to the Applicant. He advised that it was not up to Council to keep rescheduling Public Hearings until there is a vote which is satisfactory to the Applicant.

Susequent to further lengthy discussion, the following motion was proposed and passed:

It was moved by Councillor DeRoche, seconded by Councillor MacKay:

"THAT the Municipal Solicitor change Section 43(1) of the Planning Act to read: "...majority of council present..." in order to make a decision at a Public Hearing."
Motion Carried.

New Planning Act - Development Officer

Mr. Kelly briefly outlined a memo from Mr. Keith Birch to Mr. Meech regarding the appointment of a temporary Development Officer under the New Planning Act. This memo had also been distributed to all Council Members in the Supplementary Agenda.

The Memo advised: "Section 77(#3) of the Planning Act reads as follows: A Council may from time to time authorize any other person to act in the Municipal development officer's stead."

Mr. Birch had advised, in his memo, that Mr. Gough would be absent on vacation for the month of July. He, therefore, recommended that in order to facilitate the issuance of Municipal Development Permits during his absence, that Mrs. Dorothy Cartledge be appointed to act in Mr. Gough's absence.

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

"THAT Mrs. Dorothy Cartledge be appointed to act in place of Mr. Gough, Development Officer, for the month of July."
Motion Carried.

APPOINTMENT OF MUNICIPAL AUDITORS

One other item in the Supplementary Agenda to Council, was the Appointment of Municipal Auditors. It was agreed by Council to deal with this item at this time.

Mr. Kelly had distributed a memo to Council, which advised:

"Municipal Council is required under the Municipal Act to appoint annually Municipal Auditors for the Municipality.

The firm of Thorne Riddell has conducted the audit for the Municipality for the past several years in a satisfactory manner. At a recent Council Session representatives of the auditing firm reviewed the financial statements of the Municipality for the previous year.

It is recommended to Council that the firm of Thorne Riddell be re-appointed as the Auditors for the Municipality for the forthcoming year."

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

"THAT the Firm of Thorne Riddell be re-appointed as the Auditors for the Municipality for the forthcoming year."
Motion Carried.

PARKLAND - ALLEN HEIGHTS SUBDIVISION

Council agreed to deal with this issue at this time.

Mr. Kelly advised that he had circulated to members of Council, correspondence received from Mr. Douglas Shields, President of the Allen Heights Property Owners Association, regarding parkland in Allen Heights Subdivision. He advised that the Homeowners Association were concerned with a decision of the Planning Advisory Committee relative to returning ownership of a certain parcel of Parkland, P-4, in the Allen Heights Subdivision back to the Developer.

Mr. Shields had requested that this correspondence be tabled with Council.

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

"THAT the correspondence from Mr. Shields be tabled and placed on a future Council Agenda and further that in the meantime all background information be distributed to all Councillors."
Motion Carried.