

POLICY COMMITTEE REPORT

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

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

Purchasing Policy and Procedures

Mr. Kelly advised that the Purchasing Policy and Procedures Report had been submitted to the June 21st Session of Council and was deferred to the July 5th Session. He advised that it was the Policy Committee's recommendation that Council approve the Purchasing Policy and Procedures for the Municipality.

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

"THAT the Purchasing Policy and Procedures for the Municipality be approved."
Motion Carried.

Prior to the passing of the above motion, Mr. Ken Wilson and Mr. Dave Ardley came before Council and answered many questions Councillors had regarding the Procedures and Policies.

Subsequent to the passing of the motion, Councillor MacKay questioned what was the Purchasing Policy of the School Board at the present time. He was advised by Mr. Ardley that the School Board is presently following the same Policy although there are a few problems with it and some modifications may soon be made.

Subsequent to the above, Mr. Ardley retired from the Council Meeting.

Request for District Capital Grant - District 12

Mr. Kelly outlined a request for a District Capital Grant from the Policy Committee Report which advised:

"The Policy Committee received a request for a District Capital Grant, District 12, in the amount of \$3,250, for the purpose of purchasing equipment for the Middle Musquodoboit Fire Department which will be located in the Moose River area. ... The Policy Committee recommend to Council for approval a District Capital Grant, District 12 in the amount of \$3,250. for the Middle Musquodoboit Fire Department."

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

"THAT a District No. 12 Capital Grant in the amount of \$3,250 be allocated to the Middle Musquodoboit Fire Department."
Motion Carried.

Request for District Capital Grant - District 14

Mr. Kelly also outlined this Grant Request from the Policy Committee Report which read:

"The Policy Committee received a request for a District Capital Grant, District 14 in the amount of \$1,820. for the Wellington and District Recreation Association. This includes equipment and land improvements for a recreation facility located at Fish Hatchery Park, Grand Lake, Wellington ... The Policy Committee recommend to Council for approval a District Capital Grant - District 14 in the amount of \$1,820. for the Wellington and District Recreation Association."

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

"THAT a District No. 14 Capital Grant in the amount of \$1,820 be allocated to the Wellington and District Recreation Association for equipment and land improvements for a recreation facility located at Fish Hatchery Park, Grand Lake, Wellington."
Motion Carried

10 MINUTE RECESS

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

"THAT Council recess for a ten minute period."
Motion Carried.

MANAGEMENT AND SUPPLEMENTARY MANAGEMENT COMMITTEE REPORTS

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

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

Dog Control Program

Mr. Kelly outlined this item from the Management Committee Report which read:

"Advertisements have been placed for the provision of a Dog Control Program for a three year period. One proposal was received from the Nova Scotia Society for the Prevention of Cruelty. (Copy Attached to Agenda)

The Contract identified the cost of carrying out the Program over the three year period and includes four vehicles, six animal control officers, supervisory and administrative costs, operating expenses and pound rental.

The Town of Bedford has advised that they do not wish to be included in the proposal. As a result a small adjustment can be made to the proposal as per the attached letter from the S.P.C.A. dated June 20, 1983. (Please refer to letter in agenda for any information that may be required).

The cost of providing the Dog Control Program in the County of Halifax for the year 1983 is as follows:

Contract	\$183,000.
Less Town of Bedford (Impounding Fees)	\$ 1,110.
Net Cost to County	\$181,890.

The Management Committee recommend to Council acceptance of the Dog Control Proposal submitted by the Nova Scotia Society for the Prevention of Cruelty for the provision of a Dog Control Program in the County of Halifax for a three year period and further that the Municipal Solicitor be instructed to prepare the appropriate agreement between the S.P.C.A. and the Municipality of the County of Halifax."

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

"THAT the Municipality accept the Dog Control Proposal submitted by the Nova Scotia Society for the Prevention of Cruelty for the provision of a Dog Control Program in the County of Halifax for a three year period and further that the Municipal Solicitor be instructed to prepare the appropriate agreement between the S.P.C.A. and the Municipality of the County of Halifax."
(See Motion to Amend)

Councillor DeRoche indicated his concern that he had read in the media that the Town of Bedford was going to pay approximately \$27,000 for a separate Dog Control Proposal; however, the Municipality was only being discounted \$1,110 for the deletion of the Town of Bedford portion of the Contract.

Mr. Kelly advised that this was due to the fact that the S.P.C.A. could not handle the Municipality's Dogs if they cut down on Dog Control Officers or on vehicles. The Town of Bedford was only a small and easily handled portion of the overall route before and could be handled with the use of the same amount of Officers and vehicles used by the County. Therefore, the only cut which could be made in the proposal was for impounding fees.

Mr. Kelly also outlined the Proposal in detail. (Please refer to copy of Proposal in Council Agenda for detail).

Councillor Adams and Councillor DeRoche indicated dissatisfaction with the Dog Control Service they were receiving in the Eastern part of the Municipality. They felt that more manpower should be allocated to these areas in order to better control the situation in this area.

Mr. Meech advised that, in effect, there would be more manpower available due to the fact that the Town of Bedford would no longer be handled by the County's Officers.

Mr. Kelly added that additional Officers could be supplied for an additional cost of approximately \$14,000 per Officer.

Several Councillors indicated that control of cats, crows and some other animals should be considered in the proposal.

Subsequent to discussion, the following amendment was proposed:

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

"THAT the contract be awarded for a one year period in order to gage the performance of the S.P.C.A."
(See Motion to Refer).

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

"THAT the Dog Control Proposal be referred to the Management Committee which will meet with the S.P.C.A. ."
Motion Defeated.

Solicitor Cragg advised that it was not possible to vote on the amendment to the motion as Council had already called for a tender on a three year proposal and the tenderer has based his proposal on that tender call. Therefore, Council should either accept or reject the proposal.

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

"THAT the Dog Control Proposal be referred to the Management Committee for a retender on a one year contract with renewable clauses."

The Solicitor also advised that Council could not vote on this motion for the reasons outlined above. Warden MacKenzie upheld this opinion.

Councillor Mont challenged the ruling of the Chair.

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

"THAT the position of the Chair be sustained."
Motion Carried.

Subsequently, the question was called on the original motion.

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

"As written previously."
Motion Carried.

Councillor Adams suggested that the Management Committee meet with representatives of the S.P.C.A. to express concern regarding the requirement for improved service in the Eastern areas of the Municipality.

Proposed County Beautification Campaign

Mr. Kelly outlined this item from the Supplementary Management Committee report, advising that the Committee has considered the implementation of a County Beautification Campaign. The purpose of the proposed six week campaign is to encourage communities to become involved in the Beautification Campaign.

Attached to the agenda was a copy of the submission to the Management Committee - Please refer to report for details.

Mr. Kelly advised that the cost of implementing the campaign is estimated at approximately \$4,500. The Management Committee recommended that Council approve the funding to implement the campaign.

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

"THAT an amount of \$4,500 be approved in order to implement the County Beautification Campaign."
Motion Carried.

The above motion was passed subsequent to brief discussion in which Councillor Lichter and Councillor Deveaux indicated their opposition. They felt that taxpayers money should not be used for something which is everyone's responsibility.

VON - Halifax Branch

Mr. Kelly advised that the Management Committee had recently met with representatives of the VON, Halifax Branch, who expressed concern regarding the reduction in the 1983 County Grant to the Branch in view of the financial difficulties they are presently experiencing. He further advised that in discussion with the representatives, it was determined the level of funding to VON from the Province was considerably low.

It was the recommendation of the Management Committee that in view of the present funding to VON by the Province, that the Municipality contact the Province, Minister of Health, respecting Provincial funding to VON and further that the Union of Nova Scotia Municipalities be requested to make representation to the Province for increased funding to VON in consideration of the valuable services provided by this Organization.

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

"THAT the Municipality contact the Minister of Health respecting Provincial funding to the VON and further, that the Union of Nova Scotia Municipalities be requested to make representation to the Province for increased funding to the VON."
Motion Carried.

Subsequent to the passing of the above motion, Councillor Deveaux indicated his opinion that the Municipality should grant the VON the extra money they had budgeted for. He felt that the Municipality's priorities were mixed up, if funds could be approved for a Beautification Program, yet no funds were available for the VON and other worthwhile Organizations.

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

"THAT an additional \$2,500 be granted to the VON, Halifax Branch."
Motion Defeated.

The above motion was defeated as there were no funds remaining in the "Grants to Organizations" Budget.

RECOMMENDATIONS - COMMITTEE OF THE WHOLE MEETING, RE: INDUSTRIAL COMMISSION

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

"THAT the recommendations from the Committee of the Whole Meeting regarding the Industrial Commission be received."
Motion Carried.

Proposed Mall - Sackville Industrial Park

In accordance with the recommendation in the Council Agenda, the following motion was proposed:

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

"THAT approval be given to the proposal submitted by the Halifax County Industrial Commission to construct a 10 unit incubator mall at the Sackville Industrial Park at an estimated cost of \$650,000. with financing of the project to be provided in the form of a grant of \$325,000. from the NEED Program and a further \$325,000. to be provided as a long term loan from the Municipality."
Motion Carried.

Subsequent to the passing of the above motion Councillor Poirier indicated her concern that the Engineering Department who is doing the work on the Mall is already over-worked.

Councillor Lichter questioned the interest rate and the amortization period which would be in effect for the loan of \$325,000. However, Staff were unable to give him the exact answers to these questions; Mr. Meech advised that the amortization period would likely be ten years with an interest rate of approximately 10% to 11%.

Councillor Lichter was concerned that this information had not been satisfied prior to the passing of the motion. However, he was advised by Mr. Meech that the loan request would be coming before Council in the future, at which time all details would be addressed.

Exchange of Land, Re: Nova Scotia Power Corporation

In accordance with the recommendation in the Council Agenda, the following motion was proposed:

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

"THAT approval be given to the proposal as submitted by the Halifax County Industrial Commission providing for the exchange of land between the Nova Scotia Power Corporation and the Municipality, re: the Aerotech Park and Lakeside Industrial Park, respectively, in accord with the Report and recommendation dated June 27th, 1983 from the Halifax County Industrial Commission."
Motion Carried.

75-80 CLUB - COUNCILLOR BAYERS

Councillor Bayers spoke at length regarding the background of the 75-80 Club. He also advised that he had requested funds, \$2,000 from the Grants to Organizations and \$2,000 from the District Capital Grants of Districts 8, 9, 10, 11, 12 and 13 (\$333.35 each), for renovations to a new building which houses the Organization - the old Royal Bank Building in Musquodoboit Harbour.

However, Accounting Staff had advised that this project was not eligible for Capital Grant money and that the amount requested should come from the Districts' special fund replacing the old lien law fund. However, in view of the small amount requested from each District Capital Grant Fund and the approvals received from the Councillors of each involved District, Councillor Bayers encouraged Council to approve the District Capital Grants allocation to this project, in order that the lien law funds may be reserved for other uses.

Subsequent to lengthy discussion of this issue,

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

"THAT a total amount of \$2,000 (\$333.35 from Districts 8, 9, 10, 11, 12 and 13) Capital Grant Funds be allocated to the 75-80 Club in Musquodoboit Harbour."
Motion Carried.

ADDITIONS TO AGENDADisposal of Hazardous Waste - Councillor MacKay

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

"THAT the Municipality write to Environment Canada, the Provincial Department of the Environment and the Metropolitan Authority to express concern over the lack of Provincial and-or Federal Legislation regarding the disposal of hazardous and toxic materials and the lack of enforcement and education of individuals and businesses that may want to dispose of same."
Motion Carried.

ADDITIONS TO THE NEXT COUNCIL AGENDA

The following item was added to the next Council Agenda:

1. Cable T.V., Eastern Shore - Councillor Gaetz;

ADJOURNMENT

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

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

Therefore, there being no further business, the Regular Council Session adjourned at 10:55 P.M.

REGULAR COUNCIL SESSION

JULY 19, 1983

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Margeson
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor Deveaux
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 COUNCIL - THE LORD'S PRAYER

Warden MacKenzie brought the Council Session to order at 6:10 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

APPROVAL OF MINUTES

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

"THAT the Minutes of the June 27th, 1983 Committee of Whole Meeting be approved."
Motion Carried.

ADDITION TO AGENDA ITEMS

Warden MacKenzie questioned whether any Councillors had any items of an emergency nature which they would like to have added to this evening's agenda. The following item was added by Councillor Lichter:
- Rural Services Committee -

LETTERS AND CORRESPONDENCE

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

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

Letters of Appreciation

Mr. Kelly advised that the first three letters contained in the agenda were letters of appreciation for 1983 "Grants to Organizations" from the following:

1. The Canadian National Institute for the Blind;
2. Antigonish - Eastern Shore Tourist Association;
3. Victorian Order of Nurses, Halifax Branch.

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

"THAT the above three letters be filed."
Motion Carried.

Letter From Allen Heights Property Owner's Association

A letter had been received from Mr. Douglas C. Shields, President of the Allen Heights Property Owner's Association. This letter requested that a representative of the Association be permitted address Council with the Association's concerns relative to the matter of the return of Parkland in the Subdivision to the Developer. The letter also advised that this presentation should take no longer than 15 minutes of Council time and further that documentation had already been submitted to the Municipal Clerk relative to this matter.

However, subsequent to brief discussion, the following motion was proposed by Councillor Walker:

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

"THAT the Letter from the Allen Heights Property Owner's Association be referred to the Planning Advisory Committee for reconsideration before being dealt with by Municipal Council."
Motion Carried.

Prior to the passing of the above motion, Councillor Walker indicated that he had the approval of the Property Owner's Association to have the letter referred to Planning Advisory and further indicated his intention that the Developer and the Property Owner's Association be involved in the PAC consideration of the issue.

PLANNING ADVISORY COMMITTEE REPORT

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

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

Zoning Report No. RA-CH-W-09-83-07

Mr. Kelly outlined this item from the Planning Advisory Committee Report advising that it was a request to rezone Lot X-1 and Lot X-2 of the Sunset Acres Subdivision located at 4 Memorial Drive in Westphal, District 7 from R1A Zone to C-4 Zone. He advised that subsequent to PAC discussion of the Staff Report, it was recommended to Council that the application for rezoning be rejected.

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

"THAT the Planning Advisory Committee recommendation relative to Zoning Report No. RA-CH-W-09-83-07 be adopted by Municipal Council."
Motion Carried.

Zoning Report No. RA-SA-07-83-20

Mr. Kelly outlined this item from the PAC Report as well, advising that this was a request to rezone parcels E-2 and D, Phase 11, of the Sackville Land Assembly, Located on First Lake Drive at Lower Sackville, District 20 from R-1 Zone to R-4 Zone. He indicated that the Planning Advisory Committee has discussed this request and determined that it was in compliance with the intent of the Municipal Development Plan for the area. The Committee recommended the application for approval and further that the date for the Public Hearing to deal with the application be set for August 22, 1983.

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

"THAT a Public Hearing be held August 29th, to deal with Rezoning Report No. RA-SA-07-83-20."
Motion Carried.

Prior to the passing of the above motion, Councillor MacKay questioned the reasoning for the change of Public Hearing date from August 22nd recommended in the PAC Report to August 29th.

Mr. Birch came before Council to explain that Public Hearings had already been set to deal with the Metro Aggregates PUD on August 8th and the Cobequid Industrial Park PUD on August 15th. However, the Planning Department is now unable to meet the PUD requirements to hold the Metro Aggregates Hearing on August 8th. Therefore, all Public Hearings are proposed to be deferred one week; Metro Aggregates August 15th, Cobequid Industrial Park August 22nd and RA-SA-07-83-20 August 29th.

(This issue clarified later in agenda).

Transportation Agreement, Re: Development on Serviced Private Lanes:
Eastern Passage and Lakeside

Mr. Kelly advised that the Planning Advisory Committee had considered a proposal by the Department of Transportation, which would permit development on serviced private lanes in Eastern Passage and in Lakeside. The lanes in Eastern Passage were identified in the Municipal Development Plan as suitable to permit subdivision, since they had municipal services. The lanes in Lakeside are those that have had services provided during the recent construction. Provision is made in the MDP for these to be identified by amendment to the Zoning By-Law. Mr. Kelly advised that the following motions were passed by the Planning Advisory Committee:

"That the Transportation Agreement between the Department of Transportation and the Municipality of the County of Halifax be recommended to Council for approval, and: That Staff make the necessary amendments to the zoning by-law for Beechville-Lakeside-Timberlea."

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

"THAT Council approve the Transportation Agreement between the Department of Transportation and the Municipality of the County of Halifax regarding development on serviced private lanes in Eastern Passage and Lakeside (as specified) and further that Staff make the necessary amendments to the Zoning By-Law for Beechville-Lakeside-Timberlea."

Councillor McInroy questioned whether the streets involved were only those on Schedule "A" in the Council Agenda and was advised by Mr. Meech that this was correct. (Please refer to Council Agenda for clarification of the streets included).

Councillor Poirier requested that she be permitted to abstain from the vote on the above motion as it would represent a conflict of interest.

Councillor Deveaux indicated to Council that the above motion had absolutely nothing to do with the separate issue of the "Takeover of Private Lanes" but would allow people to develop their land located on the serviced lanes indicated on Schedule "A" for which they have been paying water and sewer taxes. He encouraged Council to support the above motion.

Councillor Lichter as well spoke at length in support of the motion indicating his opinion that Council had a moral obligation to do so to permit people to obtain subdivision approval for these serviced lanes for which they have been paying taxes. He felt that if a person is paying taxes on their land they should have the right to use it; if not they should not be obligated to pay taxes.

Councillor Eisenhower spoke in opposition to the motion as he felt the Municipality would be getting into the road construction business. He referred to paragraph two section four of the agreement which stated: "In the event the roads or streets need upgrading to meet Department

Subdivision Standards, the Municipality shall assume the responsibility of seeing that the street or road is upgraded by other than the Department of Transportation." It appeared to Councillor Eisenhower that this would substantiate his concern.

Mr. Meech agreed that, should the roads in future be turned over to the Department of Transportation, the Municipality must assume the responsibility of upgrading the road to the Department of Transportation standards; he advised that this had clearly been presented to the Planning Advisory Committee by Staff.

He also advised, however, the reality is that if the Municipality is not prepared to execute that agreement, the serviced lanes will simply sit there as they have for the past number of years.

Councillor Lichter pointed out one clause in the Agreement on page two where it is indicated that "procedures for listing will then be as follows", Section two states: "If the Municipality does not support the petition, they will so advise the residents and the road or street will remain private".

Councillor Lichter advised that by approving the agreement this evening the Municipality is only giving persons who have been deprived of the right to develop on serviced roads, to exercise that right. He advised that the Municipality need not support a petition for a road take-over, if the Municipality is not satisfied that such take-over is to be paid for by those people who will benefit by it.

Councillor Deveaux advised that Council seemed to be under the false impression that the roads mentioned in Schedule "A" were going to be upgraded and taken over by the Department of Transportation. He advised that this is not the case; they will remain the same as they are now with the exception that people paying water and sewer taxes on the lanes will be able to develop any empty lots and make use of those services they have been paying for over the years.

Councillor Wiseman questioned whether the Municipality had the right to restrict extension of the lanes in question and was advised by Mr. Meech that under the Zoning By-Law the Municipality could indeed restrict extension of these lanes.

Subsequent to the above discussion, the question was called on the motion.

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

"As written previously".
Motion Carried.

Truck Routes - Sackville Municipal Development Plan

Mr. Kelly advised that the PAC had discussed the establishment of Truck Routes for Lower Sackville and recommend to Council that the Department of Transportation be requested to establish Truck Routes for that area as defined in the Sackville MDP.

Councillor MacKay advised that to his understanding the above motion had been made previously by Councillor MacDonald. However, subsequent to going through Council Minutes, such a motion could not be found. It was therefore, being put before Council this evening, for the record.

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

"THAT the Department of Transportation be requested to establish Truck Routes in the Lower Sackville area as defined in the Municipal Development Plan for that area."
Motion Carried.

SUPPLEMENTARY PLANNING ADVISORY COMMITTEE REPORT

It was agreed by Council to deal with the Supplementary Planning Advisory Committee Report at this time.

Minor Variance Application No. MV-20-15-83, Appeal

Mr. Kelly advised that a Minor Variance had been granted to a request to construct a single family dwelling with a front yard setback along Mowat Crescent, Sackville, of 15 feet as opposed to the required 20 foot setback. This Minor Variance approval had been appealed by Mr. Raymond Piper, 43 Caudle Park, Lower Sackville.

The Planning Advisory Committee recommended that the Minor Variance Appeal be dealt with August 2nd, 1983 at 7:00 P.M. during the Regular Council Session.

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

"THAT Council deal with the Minor Variance Appeal of Minor Variance Application NO. MV-20-15-83, at 7:00 P.M. August 2nd, 1983 during the Regular Council Session."
Motion Carried.

BUILDING INSPECTOR'S REPORT

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

"THAT the Building Inspector's Report be received."
Motion Carried.

Lesser Setbacks

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

"THAT the application for lesser setback of 25' from the proposed road, Lot A-1, Atlantic View Drive, Sambro Head, Applicant, Mr. G. Reyno be approved by Municipal Council."
Motion Carried.

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

"THAT application for lesser setback of 15', Lot CX, Head of Chezzetcook, Applicant Mr. William F. Romo be approved by Municipal Council."
Motion Carried.

ADDITION TO AGENDA

Requirement for Rescheduling of Public Hearings

With regard to the earlier notice that Public Hearings for Metro Aggregates and Cobequid Industrial Park PUDs necessitated rescheduling, Mr. Birch advised Council that this had been due to an error in advertising layout. Therefore, additional notice had to be given before the Public Hearings could be held. This rescheduling required a motion from Council.

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

"THAT the Metro Aggregate PUD Public Hearing be rescheduled from August 8th to August 15th and that the Cobequid Industrial Park PUD Public Hearing be rescheduled from August 15th to August 22nd, 1983."
Motion Carried.

REPORT OF THE DIRECTOR OF DEVELOPMENT

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

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

MANAGEMENT COMMITTEE REPORT

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

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

Renewal of Borrowing Resolution - Aerotech Industrial Park

Mr. Kelly advised that the Management Committee had submitted a request to Council at the June 7th, 1983 Council Session for renewal of a temporary borrowing resolution for the Aerotech Industrial Park in the amount of \$8,500,000.00. However, Council had deferred the issue at that time pending a special meeting of Council with the Halifax County Industrial Commission, which was held on June 27th, 1983. The request was being resubmitted at this time.

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

"THAT Council approve the renewal of temporary borrowing resolution for the Aerotech Industrial Park in the amount of \$8,500,000.000."
Motion Carried.

County Pension Fund

Mr. Kelly advised that the Pension Advisory Task Force has recommended that a study be carried out of the investment performance of Canada Permanent Trust who presently manage the Municipality's Pension Fund, in relation to other firms.

Subsequent to discussion of this recommendation, the Management Committee in turn recommended that the Wyatt Company be appointed to conduct the study, the cost which would be born by the Pension fund.

Mr. Meech clarified that the projected cost of this study would be between \$3,000 and \$3,500; \$3,500 being the ceiling cost.

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

"THAT the Wyatt Company be retained to investigate the performance of Canada Permanent Trust, in relation to other Pension Fund Managers, the cost in the ceiling amount of \$3,500, which will be born by the Pension Fund."
Motion Carried.

Mr. Meech advised, for Council's information, that the present value of the Pension Fund is \$8.7 million.

Operating Grants

Mr. Kelly advised that the Management Committee had received a staff report and recommendation respecting the Operating Grants allocation, copies of which had also been distributed to all Councillors. The Management Committee recommended adoption of this report. However, it was also the recommendation of the Committee that the Report be discussed at a Special Council Session.

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

"THAT a Special Council Session be held to review the Staff Report regarding the Operating Grants Allocation."
Motion Carried.

Councillor Gaetz encouraged Council to set a date for this Special Council Session this evening. Subsequent to discussion the following was proposed:

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

"THAT the Special Council Session to Review the Report, regarding the Operating Grants be held September 12, 1983 at 6:00 P.M.."
Motion Carried.

Sidewalk Construction - Fall River

Mr. Kelly outlined this item from the Management Committee Report which advised that the Management Committee had discussed sidewalk construction in Fall River. A public meeting had been held with area rate-payers at which it was agreed the sidewalk construction should be done in conjunction with highway improvements to be carried out in the Fall River area and further that an area rate be levied in the area concerned for the construction and maintenance of the sidewalks.

It was the recommendation of the Management Committee that an agreement be executed with the Department of Transportation to construct sidewalks in Fall River and subject to the levying of an area rate.

Deputy Warden Margeson questioned whether Council should defer this issue until Councillor Snow is present. He was absent this evening as he was on vacation with his family. The Deputy Warden was also of the opinion that the area rate for the sidewalk construction should be born by all of District 14 and not just the area immediately affected by the construction.

However, the Deputy Warden was advised by Mr. Meech that Councillor Snow is in agreement with the Management Committee recommendation and that he had, in fact, chaired the ratepayer's meeting when the decision had been taken to approve the sidewalk construction subject to the levying of the area rate in the immediate area.

Mr. Meech also advised that there was some urgency in approving the sidewalk construction so that it could be carried out in conjunction with highway improvements in the Fall River area.

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

"THAT an agreement be executed with the Department of Transportation to construct sidewalks in Fall River, subject to the levying of an area rate."

Motion Carried.

Designation Agreements - Senior Citizen's Housing Units

Mr. Kelly advised that the Management Committee had received designation agreements from the Nova Scotia Housing Commission with respect to the construction of Senior Citizen's Housing Units in Waverley and Eastern Passage. A resolution of Council was required in order to approve the designation agreements prior to tenders being called by the Nova Scotia Housing Commission.

The Management Committee recommended for approval the execution of the designation agreements.

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

"THAT approval be given to Designation Agreements from the Nova Scotia Housing Commission with respect to the construction of 15 Senior Citizen's Housing Units in Waverley and 15 Senior Citizen's Housing Units in Eastern Passage."
Motion Carried.

POLICY COMMITTEE REPORT AND SUPPLEMENTARY POLICY COMMITTEE REPORT

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

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

BY-LAW AMENDMENTS

Mr. Kelly advised Council that the Policy Committee had reviewed amendments to By-Laws Nos. 6, 7, 10, 11, 12, 13 and 14 subsequent to recommendations of the By-Law Amendment Committee.

Mr. Kelly had distributed copies of the original By-Laws to all Council Members and the proposed amendments were included in the Council Agenda for comparison purposes.

The Policy Committee recommended approval of these amendments.

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

"THAT Council approve the proposed amendments to By-Law No. 6 as specified in the Council Agenda."
Motion Carried.

The above motion was carried subsequent to explanation of the amendments to the By-Law.

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

"THAT By-Law No. 7 be repealed."
Motion Carried.

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

"THAT Council approve the proposed amendments to By-Law No. 10, as specified in the Council Agenda."
Motion Carried.

Solicitor Cragg also advised that the word "Licenses" in Section 2(a) of the By-Law should have the first letter "L", capitalized.

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

"THAT By-Law No. 11 be repealed."
Motion Carried.

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

"THAT the proposed amendments to By-Law No. 12, as specified in the Council Agenda, be approved by Municipal Council."
Motion Carried.

Prior to the passing of the above motion, it was noted by Councillor MacKay that people would no longer be able to destroy animals. He was concerned that this may prevent someone from destroying a dog with rabbies.

Solicitor Cragg indicated that it was the feeling of the By-Law Amendment Committee that the S.P.C.A. has the contract to control animals in the Municipality, which they did not have when this By-Law first originated. As well, the S.P.C.A. were much better qualified to determine when an animal should be destroyed and better educated in the methods of doing so. It was felt by the Committee that to leave the clause in the By-Law, may result in people needlessly destroying animals.

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

"THAT Council approve the proposed amendments to By-Law No. 13, as specified in the Council Agenda also changing the word "rescinded" as it appears in Section 4(3) and 5(2) to "repealed".
(See Motions to Amend).

This amendment to the By-Law respecting Dogs was discussed at length by Council. The major concern was with the fine imposed on Dog Owners who allowed their Dogs to violate the By-Law. Several Councillors felt that the minimum and maximum fines were not high enough to adequately deter violations to the By-Law. The following amendments to the motion were proposed:

It was amended by Deputy Warden Margeson, seconded by Councillor Gaudet:

"THAT the Dog By-Law, By-Law No. 13, be further amended to reflect a minimum fine of \$100.00 and a maximum fine of \$200.00."
(See further amendment)

It was amended by Councillor Larsen, seconded by Councillor Eisenhower:

"THAT the Dog By-Law, By-Law No. 13, be further amended to reflect a minimum fine of \$25.00 and a maximum fine of \$200.00."
(Amendment Defeated).

The above amendment was defeated subsequent to lengthy discussion in Council.

The question was then called on the previous amendment.

It was amended by Deputy Warden Margeson, seconded by Councillor Gaudet:

"As written previously".
Amendment Defeated.

The question was then called on the original motion.

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

"As written previously."
Motion Carried.

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

"THAT By-Law No. 14 be repealed."
Motion Carried.

SUPPLEMENTARY POLICY COMMITTEE REPORT

The Supplementary Policy Committee Report had previously been received by Municipal Council.

District Capital Grant - District No. 10

Mr. Kelly advised that the Policy Committee had received a District Capital Grant Request from the Councillor of District No. 10, in the amount of \$1,386.00. These funds were to be utilized by the District 10E Volunteer Fire Department at Oyster Pond for fire fighting equipment (1 Scott Air Pak). It was the recommendation of the Policy Committee that Council approve this District Grant request.

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

"THAT a District No. 10 Capital Grant in the amount of \$1,386.00 be allocated to the District 10E Volunteer Fire Department for the purchase of one Scott Air Pak."
Motion Carried.

District Capital Grant - District No. 6

Mr. Kelly advised that the Policy Committee had received a District Capital Grant Request from the Councillor of District No. 6, in the amount of \$1,200.00 for improvements to a Ball Field Fence located on Municipally-owned land.

It was the recommendation of the Policy Committee, that this District Grant Request be approved.

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

"THAT a District No. 6 Capital Grant in the amount of \$1,200.00 be allocated for improvements to a Ball Field Fence located in District No.6 on Municipally-owned land."
Motion Carried.

District Capital Grant - District No. 6

The Policy Committee had received a second District Capital Grant Request from the District No. 6 Councillor in the amount of \$2,600 for the Eastern Passage-Cow Bay Volunteer Fire Department for the purchase of 200 chairs from VENREZ Products to be used at the Annual Eastern Passage-Cow Bay Carnival. The Fire Department has been sponsoring a Beer Fest in conjunction with the Carnival and over the past several years has expended a great deal of money in renting these chairs. The purchase of said chairs would eliminate future rental expenditures.

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

"THAT a District No. 6 Capital Grant in the amount of \$2,600.00 be allocated to the Eastern Passage Cow Bay Volunteer Fire Department for the above-mentioned purpose."
Motion Carried.

SUPPLEMENTARY COUNCIL AGENDA

It was agreed by Council that the remaining item in the Supplementary Council Agenda be dealt with at this time.

Council Resolution, Re: Crosswalks - Beechville and Westphal

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

"THAT the Municipality of the County of Halifax request the Department of Transportation to establish a pedestrian crosswalk in the vicinity of Civic No. 1119 St. Margaret's Bay Road in Beechville."
Motion Carried.

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

"THAT the Municipality of the County of Halifax request the Department of Transportation to establish a pedestrian Crosswalk in the vicinity of the intersection of Highway No. 7 and Cherry Brook in Westphal."
Motion Carried.

REPORT, RE: METROPOLITAN AUTHORITY

Councillor Mont provided a brief up-date on the activity of the Metropolitan Authority. He advised that the Authority has had a relatively quiet month with the exception of the following:

1. Three new Access-A-Buses have been acquired;
2. A meeting with the Office of the Attorney General had indicated that the Plans for the take-over of the Halifax County Correction Centre are still on target and it is expected that the take-over will be complete by April 1, 1984; however, Staff at the Centre are continuing to investigate methods of overcoming the overcrowding problem;

3. A request has been received from the Deputy Mayor, the City of Dartmouth for a study to determine the cost of establishing a new Waste Disposal Transfer Station in Dartmouth.
4. With regard to the recent incident at the Dartmouth Transfer Station whereby noxious material had been disposed of there creating an odor throughout the metropolitan area, Staff are now investigating methods of tightening up regulations so that this situation will not recur.

Subsequent to brief discussion of the above report,

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

"THAT the Metropolitan Authority Report be received by Municipal Council."

Motion Carried.

Prior to the passing of the above motion, Councillor MacKay indicated that a resolution had been passed in Council previously requesting a new bus to be put on Route 80 in Sackville. He questioned the outcome of this resolution at the Metropolitan Authority level.

Councillor MacDonald advised that a meeting will be coming up on Thursday evening at which this issue will be discussed.

RESIGNATION, RE: HALIFAX INDUSTRIAL COMMISSION MEMBER

A memo from Mr. Meech to the Warden and Councillors had been included in the Council Agenda which advised that Mr. Wayne Paterson had resigned from the H.C.I.C. on May 18, 1983. This memo indicated that Mr. Paterson's appointment was for a three year term, expiring April 1984. Further, the Halifax County Industrial Commission By-Laws require that Council be notified of such a vacancy and states that: "A person appointed to fill such a vacancy shall hold office for the remainder of the term of the member in whose place he was appointed." Mr. Meech recommended that Council make an appointment for the unexpired term of W. Paterson.

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

"THAT Mr. Bob Shaw be nominated to complete the term of H.C.I.C. member, Wayne Patterson, expiring April, 1984."

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

"THAT Nominations Cease."
Motion Carried.

Therefore, Mr. Bob Shaw was appointed to the Halifax County Industrial Commission.

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

"THAT Council send a letter to Mr. Wayne Paterson in appreciation for the expertise he contributed to the H.C.I.C. during his term, advising that his resignation was accepted with reluctance."
Motion Carried.

Councillor MacKay indicated that Mr. Paterson had been forced to resign for health reasons.

CABLE T.V. - EASTERN SHORE AREA - COUNCILLOR GAETZ

This item had been added to the Council Agenda by Councillor Gaetz. The Councillor now advised that he had been speaking with Mr. Keating of Dartmouth Cable, who had advised him that the requested Cable Services would be implemented by September of 1983. This was satisfactory to Councillor Gaetz.

RURAL SERVICES COMMITTEE - COUNCILLOR LICHTER

Councillor Lichter had requested that this item be added to this evening's agenda.

Councillor Lichter brought to the attention of Council that approximately two months ago Council had approved amendments to the Committees and Boards By-Law which had effectively established a Rural Services Committee. However, those By-Law amendments have not yet been signed and returned from the Office of the Minister of Municipal Affairs.

He also reminded Council that a freeze had been placed on the General Capital Grant Fund until such time as both the Urban Services and the Rural Services Committee had an opportunity to discuss the allocation of the General Capital Grant Fund.

Councillor Lichter felt that a Special Committee should be set up to deal with this issue, in the interim, so that the freeze on the General Capital Grant Fund can be removed.

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

"THAT Council establish a Special Committee (consisting of the members of the Rural Services Committee) to discuss the allocation of the General Capital Grants."
Motion Carried.

It was noted by Councillor MacKay that the Urban representative of the Rural Services Committee had not yet been selected by Council.

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

"THAT Councillor MacDonald, the present Chairman of the Urban Services Committee, be appointed as the Urban Member to the Rural Services Committee."
Motion Carried.

ADDITION OF ITEMS FOR THE AUGUST 2ND COUNCIL SESSION

The following items were added to the following Council Agenda:

1. RRAP Program - Councillor Deveaux;
2. Report, Re: Progress on Minimum Standards By-Law - Councillor MacKay;
3. Curfew By-Law - Councillor MacKay;
4. Report, Re: Sackville Landfill Site - Deputy Warden Margeson,
(a) Leachate Ponds,
(b) Development of methane gas;
5. Sandy Cove, Speed Limit - Councillor Gaudet;
6. Representatives, Re: September Meeting of U.N.S.M. - Deputy Warden Margeson.

INFORMATION ITEMSHighway Between Terence Bay and Pennant - Deputy Warden

The Deputy Warden advised that the Special Delegation of Council Representatives, chosen previously by Council, had met with the Minister of Transportation, the Minister of Public Works and the Premier, on July 12th, regarding the requested highway between Terence Bay and Pennant. He advised that the Premier appeared to be in favour of the proposed highway.

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

"THAT a Letter of Appreciation be sent to the Minister of Transportation with a copy to the Minister of Public Works, and the Premier, thanking them for the opportunity to hold the aforesaid meeting and requesting that they consider the proposed highway over the next three years."

Motion Carried.

August 16th Council Session, Sheet Harbour - Warden MacKenzie

Warden MacKenzie reminded Council that the August 16th Regular Session of Council would be held in Sheet Harbour. He also advised that a Chartered Bus would pick up the Councillors at noon at the County Building and transport them to Sheet Harbour, where a tour of the area would be conducted, and a supper would be held, subsequent to which the Council Session would be held at 6:00 at the Duncan MacMillan School.

Councillor Baker questioned whether it would be possible to bring one's spouse and was advised by the Warden that he could see no problem with this, depending on how much space was available in the bus.

Seminar, Re: Hazardous Wastes - Councillor Adams

An advance notice of a Seminar on Hazardous Wastes to be conducted by CPAC on Tuesday, September 13, 1983 was distributed to all Councillors. Councillor Adams advised that he would be attending an organizing meeting on this subject on July 27th and advised that if any Councillors

wished to have any special items placed on the agenda of the September meeting, they should advise him prior to July 27th so that he may bring them forward at that time.

ADJOURNMENT

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

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

Therefore, there being no further business, the Regular Council Session adjourned at 8:30 P.M.

M I N U T E S & R E P O R T S

O F T H E

F I R S T Y E A R M E E T I N G S

O F T H E

F O R T Y - F I R S T C O U N C I L

O F T H E

M U N I C I P A L I T Y O F T H E C O U N T Y O F H A L I F A X

A U G U S T C O U N C I L S E S S I O N

T U E S D A Y , A U G U S T 2 a n d 1 6 , 1 9 8 3

&

P U B L I C H E A R I N G S

A U G U S T 1 5 , A U G U S T 2 3 , S E P T E M B E R 1 2

A U G U S T 2 2 , S E P T E M B E R 1 , S E P T E M B E R 9

&

A U G U S T 2 9 , 1 9 8 3

**PUBLIC HEARING
METRO AGGREGATES LIMITED**

AUGUST 15, 1983

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Margeson
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor DeRoche
Councillor Adams
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
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
Mr. Keith Birch, Chief of Planning & Development

SECRETARY: Christine E. Simmons

OPENING OF PUBLIC HEARING

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 Adams, seconded by Councillor DeRoche:

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

ANNOUNCEMENTS

Warden MacKenzie advised Council, that Councillor Deveaux was absent this evening as he was in attendance at the Annual Recreation Conference.

PUBLIC HEARING

Warden MacKenzie then outlined for the benefit of those present in the Council Chambers, the procedure to be followed for the Public Hearing, advising that subsequent to a Staff presentation which would be questioned by Council, first those Speakers in Favour of the Application would address Council, then those in Opposition.

Subsequent to that, Council would make its decision relative to approval or rejection of the Application.

He then advised Council that the Application to be considered in the Public Hearing this evening was Application No. 1-82-14 for the lands of Metro Aggregates Limited, located on Rocky Lake Drive at Waverley, to permit the operation of a Rock crusher and Quarry.

Prior to entering into the Staff Presentation, Warden MacKenzie requested that Mr. Meech read into the record a letter received at the Warden's Office this afternoon. Mr. Meech read the letter, directed to the Warden from Mr. Paul Miller, Solicitor for the Waverley Ratepayers' Association, as follows:

"In a phone conversation on August 12, 1983, with Mr. Robert Cragg, Solicitor, I was informed that it is Council's intention to close the Municipal Building to the Public once the acceptable limit of people has been reached as defined by Provincial Fire Regulations.

Please be advised that if the public is barred from entering the building, and from meaningfully participating in the Public Hearing that it will be the position of the Waverley Ratepayers' Association that County Council has not complied with the provisions of the Planned Unit Development By-Law requiring a Public Hearing and has not complied with the Doctrine of fairness which governs the conduct of Public Hearings.

It should be noted that County Council were advised that the number of people wishing to participate in the Public Hearing may exceed the capacity of the Municipal Council Chambers. A request was made by both Councillor Snow, on behalf of District No. 14 and by myself that Council adjourn the Hearing and re-convene at a suitable location which would satisfactorily handle the number of people expected.

If County Council chooses not to do this and instead bars people from entering the Municipal Building and participating fully in the Public Hearing then it is the position of the Waverley Ratepayers' Association that the Hearing is a nullity.

I would ask that you note this objection on the record and that you copy this objection to all Councillors."

Councillor MacKay questioned the capacity of the Municipal Council Chambers and was advised by Mr. Meech that the capacity of the Council Chambers and the Foyer was approximately 170 to 200 people. The building itself could accommodate up to four times that amount.

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

"THAT the Correspondence from Mr. Miller be received."
Motion Carried.

It was agreed by Council that the Public Hearing proceed. However, there were numerous complaints from people in the Gallery and Foyer that the Public Address System was not working properly and further that they wanted to see as well as hear everything.

Subsequent to further debate in Council, relative to the Fire Marshall Regulations and possible legal action against the Municipality should those Regulations be violated, the following motion was proposed:

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

"THAT the Public Hearing be adjourned and readvertised to be held at the Waverley Legion, Tuesday, August 30, 1983 at 7:00 P.M."
Motion Defeated.

Subsequently, it was agreed by Council to continue with the Public Hearing this evening in the Council Chambers.

Warden MacKenzie, indicated that he had received another letter from Mr. Paul Miller, which advised that there were 31 persons who wished to speak in opposition to the Proposed Development; these were persons from the Waverley Ratepayers' Association. The Warden indicated that there may be additional people who also wish to participate in the Hearing.

Warden MacKenzie requested that anyone speaking, in light of the high number of expected participants, please keep their comments as brief as possible.

STAFF REPORT

Mr. Keith Birch, Chief of Planning and Development, introduced to those in the Council Chambers himself and Mrs. Dorothy Cartledge, Staff Planner.

Mr. Birch advised that the Department of Planning and Development was recommending that the Application for the Quarry be approved. This was based, firstly on the fact that Pits and Quarries are not controlled by the Planning Act but by an Act called the Metalliferous Mining & Quarries Act. The Planning Act speaks about protection of Quarries; protection of a resource. Secondly, he advised that, the proposed location is adjacent to an existing quarry so a new use will not be introduced in a new area.

Mr Birch advised that there were some concerns in the Development of the Quarry, which will be dealt with in the Department's explanation; one, in particular, with respect to trucking. He advised that he would like to introduce a proposal to Council on how that might be resolved. Prior to this, Mr. Birch requested Mrs. Cartledge to detail the application.

Mrs. Cartledge advised that the property in question is located on Route No. 2, Rocky Lake Drive, adjacent to Rocky Lake and to the North of Lake William. It is parcel A of the C.I.L. Subdivision and contains 409 acres and has extensive frontage on Rocky Lake Drive of approximately 3766 feet and has a depth in excess of 5000 feet.

Mrs. Cartledge referred to the Survey Plan of the lot, advising that it had been approved by the Planning Department; she advised that it was now an existing property. She then referred to a sketch outlining the existing zoning of the property. She advised that this I-1 (Industrial General) Zoning was approved in 1970 and it extends back 1000 feet from the edge of Rocky Lake Drive. The remainder of the property, she advised, was all unzoned. She advised that of interest would be the N.S.P.C. Right-of-way and the Railway Right-of-way next to Lake William.

Mrs. Cartledge then referred to the larger map showing a larger area and more detailed zoning. She then reviewed the existing land uses including Rocky Lake Drive, the Village of Waverley, Lakeview Avenue, the Bicentennial Highway and Rocky Lake. She indicated the locations of Rocky Lake Quarry Limited, Tanklines, Albernier Camper Products, Mobile Concrete Services, the Site in question and the nearest residential areas.

Mrs. Cartledge indicated that it was important for Council to be aware of the existing situation. She advised that there is existing Industrial Zoning which became effective in 1970 which extends on the property to a depth of 1000 feet. This zone would permit the operation of the Quarry and the Crusher. The minimum I-1 Zone Requirements, she advised were:

1. 60 feet of road frontage;
2. 6000 square feet of area;
3. 35% lot coverage;
4. eight feet side rear yards;
5. 30 foot set back.

She advised that these were not very strict requirements under the Industrial Zoning. Under this zoning, she advised that the applicant was eligible today to apply for the permits to operate the Quarry. This would be subject to receipt of the following:

1. Lot Approval - which he had done;
2. Building Permit;
3. Regional Development Permit;
4. Permit from the Department of Transportation to construct his driveway;
5. Permit from the Health Department to install his septic system;
6. Permit to remove the Topsoil;
7. Permit for blasting;
8. Permit for the Pit and Excavation;
9. Permit from the Department of the Environment.

Mrs. Cartledge advised that if these permits had been obtained the crusher could proceed without this Public Hearing.

Mrs. Cartledge briefly described the site, advising that it has an area of over 400 acres, it is undeveloped at the present time with the exception of two explosive magazines which are to be removed, it has a power transmission line and an abandoned telephone line. The topography is up and down with a high of 35 to 40 meters along Rocky Lake Drive and rises to a central ridge around the middle of the property of about 90 meters and then slopes off toward Lake William. She advised that the site is overlaid with quartzite of the Goldenville formation, and the soil types include halifax, rockland and peat. There are no major watercourses on the site and the site is heavily treed. She advised that the site's approximate proximity to existing development would be about 1300 feet to Albernier Camper Products, 1600 feet to the residential uses on Lakeview Avenue and approximately 3200 feet to the residential uses north on Rocky Lake Drive.

Mrs. Cartledge then gave a brief description of the proposed operation advising that with the exception of drills which will be at the blasting face, all structures and stockpiles will be located in the 14 acres site at the front of the property which falls within the industrial zone. The proposed Quarry operation will have the following structures: the hopper, primary crusher, sizing screens, secondary crusher, stock piling conveyors and a washing facility, an office building with washroom facilities, a maintenance shop for the repair of vehicles and the equipment which would be utilized would include drilling equipment, explosives, loading equipment and In-Pit Hauling equipment, a stationary plant for crushing and stockpiling the material.

She advised that the product will be produced in eight marketable sizes from minus 1-4" to about 4" in size and production is estimated to be at 300,000 metric tons per year which requires approximately 150,000 cubic meters of blasted quartzite.

Mrs. Cartledge further detailed the operation advising that the Mining will commence at the top of the highest ridge and run downward. Blasting will be directed to the southwest and scheduled in periods of favourable weather. The southwest, she advised, was the border of the site which is adjacent to the existing quarry. The recommended noise level is about an average of 122 decibals, based on a maximum charge per delay of 125 lbs. An operating period will be roughly 36 to 40 weeks per year and the blast per week would vary but would average two to three with a total charge per blast of about 1000 to 1500 lbs. and broken rock will be hauled to the hopper and will then be fed into the crusher. It will be crushed and all of this will take place in an enclosed complex. She advised that sized rock will be conveyed from the Plant into stockpiles where it will be washed, loaded onto trucks and taken from the site. The Quarry will be revegetated in a sequence, phases one, two and three. As phase one is completed it will be revegetated and hydroseeded. The site is proposed to be operational for about 15 to 20 years.

Mrs. Cartledge advised that during the Department's investigation of the application, it was referred to a number of Government Agencies for comment. To-date generally favourable comments have been received from the Department of the Environment, the Department of Health, the

Department of Transportation, the Nova Scotia Power Corporation and the Department of Municipal Affairs.

Mrs. Cartledge then indicated that should the outcome of the Hearing be positive, an Agreement would be written and negotiated with the Developer. A number of things which could be covered by that Agreement were as follows:

1. Permission for varying land use, which usually requires a Public Hearing;
2. Breach of Agreement;
3. Bonds;
4. Sale of Property;
5. Maintenance of Stockpiles;
6. Location of Operation;
7. Sequence of Operation;
8. Dust control measures;
9. Frequency of Blasting;
10. Direction of Blasting;
11. Permitted Explosives;
12. Blasting records;
13. Transportation methods;
14. Water Supply;
15. Surface and Process Water;
16. Disposal of Effluent;
17. Vibration Control;
18. Storage of Blasting Materials;
19. Blasting;
20. Points of Ingress and Egress;
21. Public Safety;
22. Reclamation Measures;
23. Techniques for Re-vegetation;
24. Collection of Refuse;
25. Control of vehicles - as suggested by the residents;
26. And more.

Mrs. Cartledge advised that the above list was by no means inclusive and could be expanded as per Council's recommendations.

She then advised that Mr. Birch would contribute to the presentation, the reasons for the positive recommendation from the Department of Planning and Development.

Mr. Birch proceeded to show to Council, slides of the Fredericton Operation, managed by Diamond Construction Ltd., the Parent Company of Metro Aggregates Ltd. This slide presentation depicted a clean, well-maintained and he advised, relatively quiet operation, extremely close to residential development.

He then showed slides in the Waverley area before, during and after blasting from Municipal Spraying Limited. These slides indicated minimum dust rising from the blasting. As well, Mr. Birch advised that there was not a great deal of noise as a result of this blast.