

not in the park, the office, the shop, and the utilities. She also indicated there would be no way Ocean View Estates could afford to disband the system. She also indicated that Ocean View would continue to operate the water system.

Mr. Robb indicated in the submission to council Ocean View has improved the water system in Silversands Subdivision by:

1. A second well was drilled and an insulated building was constructed and a new deep well pump and connecting water lines as a back-up system was installed.

Ocean View Estates employed a professional engineer, Mr. James Stewart, to design the additional requirements requested by Mr. Lichter's committee for the following items:

- (a) drawn an engineering plan in conjunction with Mr. David Grant, Provincial Department of Health. Included in the design are 7,700 Imp. gal. reservoir complete with water meter, valves, pipes, and fittings and should be installed by the end of this week.
- (b) Also shown is a manganese green sand filter and a chemical feed pump and an additional five horsepower pressure pump complete with suction piping to the reservoir.

All materials have been ordered and are now in stock.

The engineering plans call for a chlorine solution pump complete with a solution tank.

The system is to have an automatic manganese green sand filter complete with a manganese feeder valve control filter rated at 24 U.S. gal./Minute flow rate.

The electrical entry service to the system was upgraded to 100 amps.

Councillor Deveaux stated that the concerns of the Ratepayers were being dealt with this evening and asked that the Ratepayers Association have their questions answered by the Planning Department.

Ms. Spencer indicated that the concerns dealt with by the Ratepayers Association were dealt with this evening with the exception of Dogwood Drive. Ms. Spencer inquired of Mr. Cragg if the changes indicated by the Ratepayers Association could be added to the plan or if they should be left to be included in the contract negotiations. Mr. Cragg indicated these concerns could be put into an agreement prior to adopting any new amendments or they could wait until the contract negotiations take place.

Mr. Reesor indicated that the development had not complied in the past with the regulations it falls under. Councillor Deveaux stated that the Ratepayer's Association could not expect to receive a one hundred percent certain guarantee for something which will happen in the future.

Councillor MacDonald asked Mr. Reesor if Dogwood Drive was included on the same water system. Ms. Spencer replied that Dogwood Drive was a private road across from the park, and was served by the private water supply. Councillor MacDonald asked if it was possible to install more mobile homes on Dogwood Drive. Ms. Spencer answered that it was not possible to do that. Councillor MacDonald asked whether or not in fact the six mobile homes on Dogwood Drive should be dealt with now. Mr. Reesor indicated that those six mobile homes were not supposed to be located on Dogwood Drive.

Councillor MacDonald asked why the six mobile homes were separated from the rest of the park. Ms. Spencer indicated that the Planning Advisory Committee directed that all that was to be considered was the development within the park.

Councillor Lichter asked Mr. Reesor if omitting Number 2 of his submission, and if points one and three were included and a decision was made to defer the plan for two months would you be back at this Council speaking in favour of the plan amendment. Mr. Reesor indicated he wanted something done about number two. He indicated that was basically the same development and could possibly grow to ten or twenty mobile homes in this area.

Councillor Lichter indicated that PAC did not want to address any other part of that area to ensure that all other subdivision activity for mobile homes would comply with the 20,000 sq. ft. lots. Councillor Lichter indicated that it was not possible to deal with Dogwood Drive because it would entail creating other 15,000 sq. ft. lots and Council wanted to avoid that. Councillor Lichter indicated that every one of the items addressed under items one and three on the Ratepayer's request was being dealt with.

Councillor Lichter indicated he felt by approving the amendment and holding back on the contract all the requests of the Eastern Passage/Cow Bay Ratepayer's Association.

Councillor Lichter asked if the present actions of the PAC and the Board of Health instituted any faith on the part of the ratepayers toward these bodies. Mr. Reesor indicated he felt this was an improvement but wondered as how much teeth these bodies really had.

Mr. Reesor asked how Number two of the ratepayers request could not be addressed when they are using the same water system. Councillor Lichter indicated there were two alternatives for PAC and the Board of Health to follow: (a) do we want to dislocate those families occupying trailers on Dogwood Drive? PAC will monitor the situation carefully and will try to find a solution for those six families. But he was not willing to have an order issued by PAC or the Board of Health for those families vacated from their lots without knowing what would happen to those six families. Mr. Reesor agreed that the situation there was not very good.

Councillor Deveaux sympathized with Mr. Reesor but felt we are reaching a situation where the situation is being rectified.

Councillor Margeson asked how many people were present at the Ratepayers Association meeting. Mr. Reesor replied there was approximately 26. Councillor Margeson asked Mr. Reesor how many people were present from the park. Mr. Reesor was unable to give an exact figure but thought it may be in the range of 25 percent.

Councillor Margeson asked how far the park was from the water and sewer hook-up for the City of Dartmouth. Mr. Reesor said he felt it was about a mile to a mile and a half.

Councillor Margeson asked if the problem in the park was water shortages. Mr. Reesor answered the resident's were complaining about discoloration and sand in the water. The smell of the water and the lack of water were also problems.

Mr. Reesor indicated that the water had been cut off at times and would then be turned on later in the day. Councillor Margeson asked if Mr. Reesor lived in the park. Mr. Reesor indicated that he did not.

Councillor Margeson asked why this item was being brought forward now before the new Mobile Home By-law was put in place. Ms. Spencer indicated this process is separate from the Mobile Home Park By-law. The procedures here this evening are actually meant to phase out the mobile home park and turn the park into a mobile home subdivision. The Mobile Home By-law that is proposed would not in any case be dealing with this park.

Councillor Margeson asked what the difference was between a mobile home park and a mobile home subdivision. Ms. Spencer indicated that a mobile home park is one piece of land not subdivided into separate lots and has one owner who rents out spaces. The mobile home subdivision which is the same as any other subdivision with separate lots along the road available for purchase.

Councillor Margeson asked what the requirements were for a lot in a subdivision. Ms. Spencer indicated that 20,000 square feet was the requirement in this area and some of the lots in the subdivision were greater than 15,000 sq/ ft. which was the size of lot requested by the developer.

Councillor Margeson asked if the Department of Health had a regulation for lot size in the County. Ms. Spencer replied that the size was dependent on the soil. The regulations will also vary with the type of water system available to the residents. Ms. Spencer felt the Department of Health would go as low as 10,000 sq. ft. in a situation of this type.

Councillor Margeson asked if a person who used water from a central system would use more water. Ms. Spencer indicated the Engineering Department had indicated that people use more water if it is piped in.

Councillor Margeson asked if the water system presently in the park had any type of Public Utilities regulations enforced on it. Mr. Reesor answered that the system was supposed to abide by all the regulations

with the Department of Health. Mr. Meech replied that if it is a private water utility it does not come under the regulations of the PUB. We have a number of these systems throughout the County. Councillor Margeson asked what regulations were binding on the water supplier. Mr. Meech replied that it was regulated through the Department of Health in terms of quality and whether the water represents any potential risk to personal health.

Mr. Reesor indicated that the systems in the park for the septic system do not meet with the Department of Health's regulations and the majority have not been inspected. He also indicated there were some homes with sewage seepage problems.

Councillor DeRoche indicated that a well would receive joint certification of the Department of Health and the Department of the Environment. By virtue of that the volume and quality was available under certain conditions.

Councillor Lichter indicated a smaller lot size was required for lots with central water systems because you do not have to maintain separation distances between your septic system and your well.

The Warden asked if there was anyone else wishing to speak in opposition to the application.

Mrs. Elizabeth Kwindt joined the Public Hearing and read a submission to the Council. She stated she was against the adoption of the amendment at this time. She also stated that the PPC were resigning at this time.

Councillor Deveaux stated that he felt something had been done to changes systems and to give force to the by-laws.

Mrs. Kwindt indicated that the community was not aware a meeting had taken place between PAC and the Mobile Home Park residents. Councillor Deveaux indicated that the residents in Eastern Passage do not typically turn out for the ratepayers association.

Mrs. Kwindt asked that a date be set up and the water and sewer systems be examined on the site and adopt the amendment at that time.

Councillor Lichter indicated that PAC did hear people regarding the subdivision problems and did hold a public meeting and public participation is only as good as the public wants it to be. Councillor Lichter also indicated that a commitment was made that no further eviction notices would be issued until the contract is completed.

Councillor Lichter indicated that the only way something could be done to protect the residents of the park without having everyone evicted so the park could be re-designed to meet the 20,000 sq/ft. guidelines was to accept the 15,000 sq. ft. lot and work within those bounds.

Mrs. Kwindt indicated that the trailer park residents were not aware that they would not be evicted and have the options to buy after repairs have been completed.

Councillor Lichter reiterated that eviction notices were rescinded.

Councillor Lichter indicated that this situation had been going on for nine years and the sooner it was rectified the better for all people concerned including the residents.

Warden asked for others wanting to speak in opposition.

Mr. Lucas, Clarence Lucas appeared before the Council and made a presentation. He stated he was involved with the Municipal Development Plan when it was being planned. He was firmly against approval of this amendment on the basis that this was a rural area and allowing this park would set a precedent.

He stated that Ocean View Estates had a number of problems throughout the years. Mr. Lucas states his amazement that the problem ever evolved to this condition and wondered where the building inspectors were when the trailers were being moved into Dogwood Drive.

Mr. Lucas recommended that the water system be contained to the park only. He expressed concern that if the developer gave up this water system it would be servicing other uses as well as the residential uses in the park.

Mr. Lucas indicated that once the amendment is approved there would be a subdivision located in Cow Bay which was not the intent of the Municipal Development Plan. The residents had a rural designation which is what they had wanted...not subdivisions.

Councillor Lichter asked Mr. Lucas if he was serious about having eviction notices served on the residents of Dogwood Drive. Mr. Lucas indicated that four people had received eviction notices already.

Councillor Lichter asked if these eviction notices were still in effect. Mr. Lucas answered he was not certain. Councillor Deveaux confirmed Councillor Lichter's opinion that all eviction notices had been withdrawn.

Councillor Lichter asked Mr. Lucas if it made any difference if the trailers were in a mobile home park lot or on individual lots. Mr. Lucas indicated to Councillor Lichter it would make a difference to the people in the park.

Councillor Margeson asked if the roads in the park were private roads and if the residents were on a private road how could permits be issued. Ms. Spencer indicated that Spruce Drive had recently been taken over by the Department of Transportation.

Councillor Deveaux indicated he hoped that the PPC would reconsider resigning from their present position. Councillor Deveaux indicated that a number of MDP had appealed decisions for developments in their areas.

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

"THAT the by-law to amend the Municipal Plan be approved."

Councillor MacKay asked for a point of clarification: before the comprehensive development district would be implemented that this would come back before Council in a subsequent Public Hearing, is that correct? Warden MacKenzie answered that it was.

Councillor Lichter asked for a point of clarification that it would be the actual contract which would be negotiated at this point that would come back for a Public Hearing not the amendment itself.

Councillor McInroy indicated that the approval of this motion would still provide the residents with a method of input and allow the residents to appeal the contract if it was necessary.

Councillor MacDonald indicated that he felt the motion was to allow the contract negotiations to proceed and wanted to know if his understanding of the situation was correct. Mr. Cragg indicated that Council can identify any matters they wish to have dealt with before the agreement is entered into.

Motion Carried.

Councillor Deveaux moved and was seconded by Councillor DeRoche:

"THAT the by-law to amend the Zoning By-law for Eastern Passage/  
Cow Bay be approved."  
Motion Carried.

Warden MacKenzie indicated that Council had agreed to table the budget. Warden MacKenzie also indicated that the Urban services Committee meeting for February 16, 1984. had been cancelled.

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

"THAT the budget be received."  
Motion Carried.

Some general discussion followed regarding presenting the budget during the evenings to allow the public to attend the meetings more freely. It was discussed by Council that the number of evening meetings had been increasing and should be held at their present number. Some of the Councillors felt these meetings should be held in the evening to allow the public to attend.

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

"THAT the budget meeting be set for March 8, 1984 at 6 p.m."  
Motion Carried.

The Public Hearing was adjourned.

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REGULAR COUNCIL SESSION

FEBRUARY 7, 1984

Present Were: Warden MacKenzie  
Councillor Walker  
Councillor Poirier  
Councillor Larsen  
Councillor Baker  
Councillor Deveaux  
Councillor DeRoche  
Deputy Warden Adams  
Councillor Gaetz  
Councillor Bayers  
Councillor Reid  
Councillor Lichter  
Councillor Margeson  
Councillor MacKay  
Councillor McInroy  
Councillor Eisenhauer  
Councillor MacDonald  
Councillor Mont

Also Present: Mr. K. R. Meech, Chief Administrative Officer  
Mr. G. J. Kelly, Municipal Clerk  
Mr. R. G. Cragg, County Solicitor  
Mr. K. Birch, Director of Planning  
Mr. J. Markesino, Director of Recreation

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The Warden brought the meeting to order at 6:07 p.m. with the Lord's Prayer.

Mr. Kelly called the roll.

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

"THAT C. Lynn Weeks be appointed as recording secretary."  
Motion Carried.

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

THAT the Minutes for the October 20, 1983, Public Hearing be approved."

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

"THAT the Minutes of the October 24, 1983, Committee of the Whole be approved."  
Motion carried.



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

"THAT the Minutes of the November 21, 1983, Committee of the Whole be approved."

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

"THAT the Minutes of the November 28, 1983, Public Hearing be approved."  
Motion carried.

The Warden asked for any items to be added to the agenda. The following items were asked to be included. Councillor Lichter asked for the topic of "Meeting" to be included. Councillor Deveaux asked for the take over of the Correctional Center by the Province be added, and a letter he had received from Dartmouth General Hospital. Mr. Meech requested the tabling of the 1984 Budget be an additional item. The Warden requested a resolution made by the Policy Committee regarding Town Status for the Village of Waverly be reviewed.

Mr. L.B. Gillis joined the council session and made his report on the Halifax County-Bedford District School Board. There was some general discussion regarding the quarterly report by the Councillors. Mr. Gillis discussed the Atlantic View School in Lawrencetown saying that direction had been given to government services to proceed with planning the facility and plans are also being developed for a Humber Park addition.

Councillor Margeson requested that Mr. Gillis have the School Board look at the site of the Beaverbank School and request the Minister have the Department of Transportation look into having a left turn lane installed in the entranceway to the junior high school. Councillor Margeson also asked if Mr. Gillis would have the Minister consider lessening the grade of the highway at the entrance/exit for 100 feet approximately. Councillor Margeson asked Mr. Gillis for some information about the school board budget. Mr. Gillis was not able to give any specific information as the budget has not been passed by the School Board.

Councillor DeRoche inquired as to whether or not both Sir Robert Borden and Creighton Junior High School were almost filled to capacity; and in that light, would it not be possible to retain students at elementary schools from primary through grade 8 or grade 9. Mr. Gillis replied that it had not been examined in cases other than those stated in the report due to the fact that enrollments in general, will be maintained at their present level.

Councillor DeRoche also inquired how many of the administrative staff had been included in the Teacher/student ratio of 17.2. Mr. Gillis replied that everyone had been included who was a certified teacher within the system. Councillor DeRoche also asked how many (total) administrative people had been included. Mr. Gillis replied that the ratio had been averaged across the system. Councillor DeRoche

asked for confirmation that there was a possibility of increasing the teaching staff by twenty-six positions. Mr. Gillis replied that some of the positions had already been filled and the resulting number of positions available would be 18.

Councillor Reid asked if a teacher in the elementary school in the Upper Musquodoboit would be dropped. Mr. Gillis replied that according to the approved staff report that would be true.

Councillor MacDonald asked if there was any further information on the proposed renovations for the Sackville Elementary or Sackville Heights Junior High Schools. Mr. Gillis replied that these renovations had taken second place to a number of larger projects which would be taking place. These renovations would be reconsidered once the Beaverbank students were settled in their school.

Councillor MacKay requested Mr. Gillis inform the council what changes may be made to the County school system in compliance with Minister Donahue's statement to the press regarding new core subjects for schools in the province. Mr. Gillis replied that he had not yet received a copy of the report and did not have the information requested.

Councillor MacKay also requested the long-range plans for the status of Acadia School. Mr. Gillis replied that the status of the school would remain the same as it has been for the past two years. He felt that there would be a reduction of one teacher in that school next year.

The Warden informed council that he had heard in the news report which was released to the press, there would be an increase in the core French Program but was not able to inform council to what degree the French core would be increased. The Warden also indicated that the Physical Education Program would be increased, but, again was not aware of the degree it would be increased, but did know that it would be phased into the system.

Councillor Baker indicated that the French Program would be modified to begin at grade four as opposed to grade seven. Councillor Baker also inquired why the extension for the caretaker at William King School had been turned down. Mr. Gillis asked that Mr. Baker call Mr. Stewart to discuss the matter. Councillor Baker also inquired if the old school in Herring Cove was being used by pre-schoolers. Mr. Gillis replied that a classroom was being used by pre-schoolers and that the School Board was still using the school for grades 4, 5, and 6. Councillor Baker also inquired whether the school board was paying the cost of this use. Mr. Gillis replied that there is no additional cost to the board from this use and no contribution from the Board.

Councillor Bayers inquired if the school in Clam Harbour will be closed, or is there a teacher leaving that school and will the students from one of the grades be transported to the Robert Jamieson School. Mr. Gillis replied that there will be no change in the status of Little Harbour School this year. This situation will be re-examined again next year and some changes may be made at this time.

Councillor Bayers also thanked Mr. Gillis for the field improvements at Robert Jamieson School.

Councillor Mont asked if the changes instituted to the core program would be fully funded by the Province or would the Municipalities be asked to pick up the cost. Mr. Gillis replied that he would expect or hope that the Province would be placing more money in its general formula funding thus aiding the Municipality in meeting the present program expense. The physical education program increase would not affect the Junior High School level but there may be additional expenditures involved if the program had been extended to include senior high schools.

Councillor Mont indicated he did not believe senior high schools had been included. However, Councillor Mont indicated that the elementary schools would be included. The Minister had indicated that the regular teachers would be dealing with this and Councillor Mont indicated that this was against the policy of the Board. Councillor Mont wanted to know if this would affect the Board's budget. Mr. Gillis confirmed that unless there was some change in the agreement already in force, it would affect the budget.

Councillor McInroy inquired whether transporting students to Eastern Passage Junior High School would be adequate. Mr. Gillis indicated that during the first year transporting these students would not be an adequate solution in the first year; however, would eventually result in an adequate solution.

Councillor McInroy also inquired what projections for enrollment had been forecasted and how close the forecast was to substantiating a new school on the Astral Drive site. Mr. Gillis replied that the peak reached was 200 and from that point the enrollment drops back to its present level. This indicates that a new school is not required. He also indicated that this situation would have to be examined annually.

Councillor Eisenhauer related to Council that he felt in the short term a boundary change may be in order. However, in the long term he would prefer to see the boundaries left so another school would be built.

Mr. Gillis left the meeting at this point.

#### LETTERS AND CORRESPONDENCE

Mr. Kelly introduced the correspondence.

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

"THAT the correspondence be approved as received."  
Motion carried.

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

"THAT the correspondence from Mayor Wallace be approved as received."

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

"THAT a letter be sent to Mayor Wallace to inform the Mayor of our action in this matter."  
Motion Carried.

It was moved by Councillor Mont and seconded by Councillor Deveaux:

"THAT the correspondence from the FCM requesting resolutions to be considered at the 1984 annual conference be forwarded to the Policy Committee for their consideration."  
Motion Carried.

It was moved by Councillor MacKay and seconded by Councillor Larsen:

"That the letter regarding the Chambers property in Sackville, be deferred until March 6."  
Motion Carried.

It was moved by Councillor Larsen and seconded by Councillor Gaetz:

"THAT the letter from the St. Margaret's Bay Cable Company Ltd. be approved as received."  
Motion Carried.

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

"THAT the letter from the Department of Agriculture be forwarded to the Policy Committee for their consideration."  
Motion Carried.

Mr. Meech indicated that when the matter is discussed by the Policy committee Mr. Kelly will arrange to have the weed inspector and officials from the Department of Agriculture on hand to discuss the issue.

Councillor Margeson inquired whether an invitation could be extended to the Councillors in the areas concerned.

It was moved by Councillor Deveaux and seconded by Councillor DeRoche:

"THAT the letter from the Minister of Transportation concerning development on private roads be forwarded to the PAC for consideration."  
Motion carried.

#### REPORT OF THE PLANNING ADVISORY COMMITTEE

1. Proposed Amendments to the Sackville Municipal Planning Strategy and Land Use By-law.

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

"THAT the Sackville Municipal Planning Strategy be amended as approved by Planning and Development to allow for development of duplexes on commercially designated land be scheduled for Public Hearing on March 5, 1984.  
Motion carried.

2. Proposed Amendment to the Timberlea/Lakeside/Beechville Municipal Development Plan

It was moved by Councillor DeRoche and seconded by Councillor Deveaux:

"THAT a public hearing date be set for March 12, 1984 for the proposed amendment to the Timberlea Lakeside/Beechville Municipal Development plan.  
Motion carried.

3. Rezoning Application No. RE-SA-42-83-16

It was moved by Councillor Lichter and seconded by Councillor Larsen:

"THAT the application for rezoning the lands of Terrence B. Blackburn be rezoned from R-1 to R-2 be scheduled for Public Hearing on March 12, 1984."  
Motion Carried.

4. Rezoning Application No. RA-SA-50-83-20

It was moved by Councillor Lichter and seconded by Councillor Reid :

"THAT the request for a rezoning application of Lot 56-S be scheduled for Public Hearing on March 12, 1984."  
Motion Carried.

5. Rezoning Application RE-SA-54-83-19

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

"THAT the application for rezoning of the lands of A. Schultz Subdivision from an R-1 zoning to an R-2 zoning be scheduled for Public Hearing on March 5, 1984."  
Motion carried.

6. Proposed Amendment to the Eastern Passage/Cow Bay Municipal Development Plan and Zoning By-Law.

It was moved by Councillor Deveaux and seconded by Councillor Larsen:

"THAT the Public Hearing set on this matter for February 6, 1984 be changed to February 13, 1984."  
Motion Carried.

7. Building Inspectors Report Re: Lessor Setback and Side Yard Clearances

- (a) It was moved by Councillor Lichter and seconded by Councillor Gaetz:

"THAT the application for a lessor setback 9.5 feet Lot 1A, Palmer Road, Waverley, applicant Launa Lunn be approved."  
Motion carried.

- (b) It was moved by Councillor Baker, seconded by Councillor Deveaux:

"THAT the application for a lesser side yard clearance of 3 feet, 935 Herring Cove Road, Herring cove Road be approved."  
Motion carried

MANAGEMENT COMMITTEE REPORT

1. Borrowing Resolution

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

"THAT the Council approve the borrowing resolution for the purpose of authorizing the Municipality to borrow funds from the Royal Bank of Canada for operating purposes for the year 1984 to a maximum of \$2,000,000.  
Motion carried.

2. Bisset Lake Park

Mr. Kelly read the recommendations from Management Committee to Council.

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

"THAT Council approve the overall concept and also approve the grant as requested to implement Phase I and II of the Park with Phase III to be considered at a later date."

Councillor Mont indicated that a letter had been forwarded to the Warden from Mr. Alfie Giles that Mr. Giles would like to make some comments about the Park. As well, Mr. Illsley and Mr. Teal were present and interested in making some comments regarding the proposed Park. Councillor Mont also indicated that Mr. Markesino was also available to give some background information on the Park.

The Warden indicated that he had received the letter asking for Mr. Giles to be permitted to address the Council. The Warden read the letter to Council. The Warden asked if Council was prepared to hear Mr. Giles and explained that a unanimous decision would be required. He also indicated that three other people wanted to be heard as well. Councillor Mont requested that if Mr. Giles was to be heard that he would want at least one other speaker in favour of the Park to be heard as well.

Councillor Lichter indicated that he felt that by hearing the people in favour of and against the project it would undermine the purpose of elected representatives. He indicated that a properly advertised public hearing could be held in order that all parties who wanted to be heard would have the opportunity to do so.

Mr. Markesino was invited to join the Council meeting to give a brief presentation on the Bisset Lake Park. Mr. Markesino indicated to council the site was ideal for both summer and winter activities and the development plan was superior in quality to many plans previously submitted. Mr. Markesino indicated that the Park would be open to all people in the county. Mr. Markesino recommended the proposal.

Councillor McInroy felt any areas of concern can be addressed by the Park Planners and dealt with adequately. Councillor MacInroy indicated his support for the Park and indicated he would be willing to hear suggestions to improve upon the present design of the Park.

Councillor MacDonald inquired about the size of the facility. Mr. Markesino indicated it was approximately 38 acres. Councillor MacDonald also inquired whether the Recreation Department would be maintaining the park. Mr. Markesino replied that the Department would be managing the Park with extra staff through summer programs.

The Warden indicated that an agreement must be reached as to whether Council would hear Mr. Giles. Councillors indicated their consent or dissent to this. Warden indicated because there was not unanimous consent Mr. Giles could not be heard.

Question was called.  
Motion carried.

Councillor DeRoche indicated he felt advertising should be the responsibility of the Executive Offices. Mr. Meech indicated while the statutory responsibility for advertising Public Hearings is that of the Municipal Clerk, the Planning Department has been facilitating the advertising process for Public Hearings.

Councillor Larsen stated that he had already referred a matter to Policy Committee with respect to Public Hearings.

Councillor Deveaux indicated he did not feel that placing the responsibility with the Executive Offices would improve the procedures in use for Public Hearings. He felt splitting the responsibilities of preparing the Notice for the newspaper and the actual placing of the Notice in the newspaper would only slow the procedure and leave more room for error.

It was moved by Councillor DeRoche and seconded by Deputy Warden Adams:

"THAT all advertising for the Municipality be co-ordinated by and through the Executive Office."  
Motion Defeated.

Appeal of Minor Variance - Metro Oil Company

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

"THAT the appeal of Minor Variance--Metro Oil Company Limited be held at the regular Council Session, February 21, 1984 at 7:00 P.M."  
Motion carried.

Councillor Larsen requested that the reports on the lessor setbacks be increased to give more information to the Councillors on the background information to enable them to make a decision more easily. Mr. Meech agreed that the reports were very brief and also agreed that these might be helpful.

POLICY COMMITTEE REPORT

1. Request for District Capital Grant--District 11

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

"THAT Council approve a District Capital Grant, District 11, in the amount of \$7,274 for the Sheet Harbour Fire Department for the acquisition of equipment."  
Motion carried.

Request for District Capital Grant--District 21

It was moved by Councillor Mont and seconded by Councillor MacInroy:

"THAT Council approve a District Capital Grant District 21, in the amount of \$750 for fencing along a brook on John Stewart Drive."  
Motion Carried.

Request for District Capital Grant--Districts 16, 19,20

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

"THAT Council approve a District Capital Grant for Districts 16, (\$1,000.) 19, (\$379.) and 20 (\$379.) to purchase equipment for the purpose of flooding and cleaning outdoor ice skating rinks in the total amount of \$1,758."  
Motion carried.

By-Law Amendments

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

"THAT by-law 17 be amended as stated in the by-law to amend by-law 17."  
Motion carried.



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

"THAT By-law 23 be referred back to the Policy Committee for consideration."  
Motion Carried.

Councillor Lichter expressed concern regarding the fifty percent increase in the payment of the building permit applications.

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

"THAT Council approve the by-law to amend by-law 31 which repeals By-Law 31."  
Motion carried.

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

"THAT Council approve the by-law to amend by-law 44 to become By-law #56."  
Motion carried.

Councillor Lichter declared a conflict of interest

#### RECOMMENDATIONS - MUNICIPAL ELECTIONS ACT REVIEW COMMITTEE REPORT

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

"THAT Section 3A (1), recommendations by Committee that in circumstances where an electoral district for school board election includes more than one Municipal Unit, the Minister shall designate the Returning Officer."  
Motion carried.

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

"THAT Section 5 (2B), recommendations by Committee that provision be included to permit a mobile poll to locate during polling day at a time designated by the Returning Officer at each of these homes where there are only a small number of residents."  
Motion carried.

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

"THAT Section 16 (1), and (1A) recommendation by Committee, that the sections "persons employed with a School Board or Municipality in the province" be modified to "persons employed with the same School Board or Municipality."  
Motion carried.

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

"THAT Section 87, recommendation by Committee, that the statement: 'but no elector other than those whose names are so listed shall be permitted to vote after the close' be modified to read: 'but no elector other than those whose names are so listed at the close of poll shall be permitted to vote.'" Motion carried.

URBAN SERVICES REPORT

Mr. Kelly read the report of the Urban Services Committee Report regarding the Frame Subdivision, Waverley.

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

"THAT the County take over the ownership of the sewage treatment plant and that a partial environment rate be applied to those homes within the Frame Subdivision."

Councillor MacKay inquired as to what the partial environment rate included. Mr. Meech replied the rate was the same as other residents were paying with the exception of fire protection.

Councillor Margeson inquired what the expected life span of the treatment plant would be, and would the County, in fact, be upgrading or repairing an old system. Mr. Meech replied that the system had been installed in 1980 and the County had been maintaining the system.

Motion carried.

1984 TAX EXEMPTION

Mr. Kelly read the memorandum from Mr. Ken Wilson stating the recommendations of the Accounting Department.

The Councillors discussed the topic and the various amounts of benefits paid and the increases given over the years.

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

"THAT the maximum tax exemption for the year 1984 be increased to \$250 for owner occupied properties and the total annual income of all family members residing in the same household shall not exceed \$8,000."

Motion Defeated.

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

"THAT the maximum tax exemption for the year 1984 be increased to \$250. for owner occupied properties and the total annual income of all family members residing in the same household shall not exceed \$7,500.

Motion Carried.

Mr. Meech indicated he would like to table the budget next Monday, February 13, 1984 at the Public Hearing. It was agreed to by Council.

The Council Session was adjourned at 10:17 p.m.

REGULAR COUNCIL SESSION

FEBRUARY 21, 1984

Present Were: Warden A. MacKenzie  
Councillor Walker  
Councillor Gaudet  
Councillor Baker  
Councillor Deveaux  
Councillor DeRoche  
Councillor Gaetz  
Deputy Warden Adams  
Councillor Bayers  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Councillor Margeson  
Councillor MacKay  
Councillor McInroy  
Councillor MacDonald  
Councillor Wiseman  
Councillor Mont

Also Present: Mr. G. J. Kelly, Municipal Clerk  
Mr. Robert Cragg, Solicitor  
Mr. Ed Wdowiak, Director of Engineering  
Mr. Keith Birch, Director of Planning  
Mrs. Dorothy Cartledge, Planning  
Mr. Michael Hanusiak, Planning  
Mr. Ken Wilson, Director of Finance

Secretary: C. Lynn Weeks

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Warden MacKenzie brought the meeting to order with the Lord's Prayer at 6:15 p.m.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor DeRoche and seconded by Councillor Wiseman:

"THAT C. Lynn Weeks be appointed as recording secretary."  
Motion Carried.

APPROVAL OF MINUTES

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

"THAT the minutes of the Public Hearing dated January 16, 1984, be approved as submitted."  
Motion Carried.

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

"THAT the minutes of the Regular Council Session dated January 17, 1984 be approved as submitted."  
Motion Carried.

It was moved by Councillor Deveaux and seconded by Councillor Mont:

"THAT the minutes of the Public Hearing dated January 30, 1984, be approved as submitted."  
Motion Carried.

#### ADDITIONS TO AGENDA

Councillor Mont requested that RCMP Protection in the Cole Harbour area be added to the agenda.

Councillor MacKay requested that the topic of Boundaries be added to the agenda.

#### PLANNING ADVISORY COMMITTEE REPORT

Mr. Kelly presented the report for a rezoning application No. RA-CHW-27-83-21 to rezone a portion of the lands of Ronald Hayman, Lawlor's Point from P-2 (Community Facility) zone to R-1 (Single Unit Dwelling) to construct approximately 20 single unit dwellings.

Mr. Birch indicated that the Minister of Lands and Forests had indicated the Province may have interest in purchasing the property.

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

"THAT the rezoning application No. RA-CH/W27-83-21 be denied."

Councillor Lichter indicated he would like to have Councillor Mont outline his concerns regarding this rezoning application.

Councillor Mont stated there were a number of reasons for making the motion. Firstly, the issue had been dealt with by the Municipal Development Plan and was zoned for parks and recreation after an extensive public participation process. The Minister of Lands and Forests indicated in the meeting of February 16, 1984, if it was the wish of the area representatives and the MLA this land be designated as part of the regional park system he was prepared to designate it as such and was prepared to take steps to acquire the land.

Councillor DeRoche indicated he had been opposed to the rezoning application. Councillor DeRoche stated he felt this application was contrary to the wishes of the people, contrary to the MDP, and also premature.

Councillor McInroy indicated he agreed with the previous statements and felt that the plan specifically addressed the issue and did not feel the plans should be disregarded each time an application was presented for rezoning.

Councillor Lichter indicated in 1973 these lands were zoned parks and institutional. Shortly thereafter the Provincial Government included the area in the Regional Park Designation. In 1979 an unsuccessful attempt was made to have the land rezoned R-1. The basic reason, Councillor Lichter felt, for failure of the rezoning application was the area was still zoned as parklands. Recently correspondence indicated this land was removed from the Regional Park designation and Municipal Affairs has no further interest in that area.

Councillor Lichter felt the Municipal Development Plan was not being amended because the MDP provides for rezoning once certain criteria are met. Councillor Lichter felt that the land had not been developed for a period of eight years and it was not reasonable to expect the land be developed with any expediency. Councillor Lichter indicated that by advertising the Public Hearing it may facilitate the Province taking action to acquire the property with some degree of urgency. Councillor Lichter indicated it may be best to rezone that portion of land which would not affect the viewplane (not within 900 feet of the watercourse of Cole Harbour) and be the least expensive method. The other method which could be taken is for the Province to purchase the whole parcel of land.

Councillor Lichter also indicated he felt having an R-1 zone to a distance of 900 feet from the waterway would not be detrimental. He also indicated that the regional park designation had been removed and the most expedient method of complying with the wishes of the residents, to have this area as parkland may be to have the public hearing and thereby indicate to the Province that action must be taken regarding this property.

Councillor Mont indicated that negotiations had been taking place for a period in excess of one year between the Province and Fidelity Trust. He felt Fidelity Trust were not interested in negotiating and preferred to have the property zoned as an R-2 zone. He indicated he felt the wishes of the community were clear and was asking Council to support those wishes.

Councillor DeRoche indicated that the property had in fact changed hands twice: once to Mr. Ronald Hayman and the second transfer being to Fidelity Trust.

Councillor Deveaux indicated that after this number of years the present owners should be given the opportunity to air the issue. Councillor Deveaux indicated that a motion had been made at PAC to reject the motion now before council and the motion was not carried.

Councillor Deveaux indicated that one of the greatest concerns of residents was pollution of the waterways of Cole Harbour. He also indicated that under the present zoning, development was permitted down to the shoreline and this would not be permitted under an R-1 zoning.

Motion Carried.

MEETING WITH MR. C.E. SCHOFIELD--DEPARTMENT OF HOUSING

Mr. Schofield joined the meeting and made a report to council reviewing the status of the senior citizens projects within the Municipality.

Forest Hills -- project for fifteen units has started and is five percent complete.

Waverley -- project is on schedule and twenty percent complete. Completion date is scheduled for late August or September of this year.

Eastern Passage -- Fifteen unit project is on schedule and is 50 percent complete.

Sackville -- Project is ahead of schedule and is 85 percent complete. Completion is expected within two months.

Timberlea -- Funds are available once site is finalized.

The 1984 budget for the Department of Housing includes ten units for Sheet Harbour. A number of areas have been surveyed, however, they will not be included until 1985.

Councillor Baker indicated he had hoped something could be done in the Herring Cove area during 1984. Mr. Schofield indicated something would be done there as soon as possible.

Councillor Walker indicated some concern regarding take-overs of units. He felt an independent body should be doing the inspections. Mr. Schofield indicated the Department of Housing retained its own employees and did have the necessary consultants.

Councillor Gaetz asked Mr. Schofield what action was being taken on constructing a second senior citizens' home in the Porter's Lake area. Mr. Schofield indicated that the need was not that great at the moment, however, the situation was being monitored.

Councillor Margeson asked Mr. Schofield if the properties used as senior citizens' homes were depreciated over a period of time. Mr. Schofield indicated the amortization schedule was for fifty years.

Further discussion followed regarding senior citizens homes and the grants available to home owners.

PUBLIC HEARING NO. MV-06-01-84--Request for reduced sideyard Clearance

Ms. Dorothy Cartledge made the presentation on behalf of the staff. She indicated the application had been made by Metro Oil Co. It was recommended that the appeal be refused on the basis of the Planning Act, Section 79 (3) (c).

deliberate disregard of the by-law and not an error. Ms. Cartledge indicated that two permits, the Municipal Development Permit and the Building Permit, were necessary and neither permit had been issued at the time of construction. She indicated that because the tanks were erected prior to the permits being issued it would be considered intentional disregard.

Councillor Mont asked if the party involved was aware a permit must be issued prior to construction. Ms. Cartledge indicated Metro Oil was aware of this fact.

Councillor MacKay asked how long after application was made to the County for a building permit did the County request a sketch of the area. Ms. Cartledge indicated the sketch was received on or around the 21st of December.

Councillor inquired if once an application has been made and a minor variance is going to be granted would it be necessary to notify the residents with property within 100 feet of the of the applicant's property. Ms. Cartledge confirmed this belief. Councillor MacKay asked if an application had been denied notice to other residents in the area had not been informed. Ms. Cartledge indicated that the applicant would be notified that the minor variance was refused.

Councillor Deveaux indicated that the main reason the permit had been refused was that the tanks were already there. Ms. Cartledge indicated that it was necessary to refuse the permit under the conditions of the by-law.

Councillor Deveaux indicated on the map that there were still several larger tanks within 50 feet of the property line. He did not feel that requesting the developer to move the smaller tanks would make any difference.

#### SPEAKERS IN FAVOUR OF THE APPLICATION

Mr. Dale Ritchie, Vice President of Marketing for Metro Oil spoke in favor of the application. Mr. Ritchie indicated that when Metro Oil applied for the permits on December 12, a letter was enclosed for Mr. Hefler. The letter stated in part: "our company wished to erect eight additional above ground storage tanks in the existing dyke area upon lands in Eastern Passage, Nova Scotia. The tanks will hold approximately 16,000 gallons each and four will store high test gasoline and four will store Diesel Oil. The regulations concerning the Department of the Environment will be adhered to, we will also meet all National Fire Code stipulations with regard to petroleum storage facilities. Please find plans attached for work to be completed by our own company Metro Equipment. Thank you for your early approval."

Mr. Ritchie indicated that when the letter and application were submitted to the County, staff personnel accepting the application, he indicated that this construction was to be completed as soon as possible. He also indicated he had specifically noted the date the 19th of December.

Mr. Ritchie indicated the tanks were already on the property and construction would consist of moving them from a horizontal position to a vertical position using a crane. Mr. Ritchie indicated he had submitted a sketch outlining the construction to take place.

The personnel who had accepted the application for the Development Permit and the Building permit indicated to him it would take approximately four to five days to receive approval. Mr. Ritchie after having received this information allowed the cranes, etc. necessary to do the work to come in on the 19th assuming the permit had been approved.

Mr. Ritchie indicated that on December 21 a county staff employee telephoned him for additional information. Mr. Ritchie provided the information needed. Mr. Ritchie indicated it was at this point he became aware the permit had not been issued and informed the County staff member the tanks had in fact been erected. Mr. Ritchie also indicated the County Staff member informed him an inspection officer would be going out to the site to perform an inspection. Mr. Ritchie informed Council he had not been advised to cease construction.

Mr. Ritchie indicated on the 3rd of January a lady from the planning office contacted him requesting more precise diagrams. The engineering diagram was submitted at 3 o'clock in the afternoon of the same day. Mr. Ritchie indicated he was informed at this time 56 feet was not adequate side yard clearance and the tanks should have been set back 100 feet in accordance with the new Municipal Development Plan which Mr. Ritchie and his organization was not aware had been put in place.

Mr. Ritchie indicated the large 60,000 barrel tank had been erected on the property, which contains 40 times the total capacity of the eight storage tanks in question, in 1980. Mr. Ritchie indicated this tank is 78 feet from the property line which is still not the required 100 foot set back.

Mr. Ritchie maintained that when construction was proceeded with, it was not a blatant disregard of the Planning By-law, but, in fact, a misunderstanding on the part of the organization. Mr. Ritchie recommended to Council that due to the misunderstanding and there was not any intention to blatantly disregard the by-law, the company request for the minor variance be granted in this case. He also indicated that in the future when tanks are erected, they will address the present requirement of the by-laws and the MDP.

Councillor Deveaux asked Mr. Ritchie if he had acquired all the additional permits required. Mr. Ritchie replied that the permits had been acquired and the Department of the Environment had already inspected the facility and given their approval. Mr. Ritchie indicated the PUB had granted Metro Oil their Wholesaler's license but had stipulated that all necessary regulations be followed. The office of the Fire Marshall inspected the plant and plans had been submitted to them. Metro Oil has also employed an Engineering firm to advise the company of the various government requirements.



Councillor MacKay asked if there were other preparations which had taken place for the site prior December 19. Mr. Ritchie indicated that the site, having been used prior to this for a similar operation, was ready and all that had to be done was to have the tanks erected.

Councillor MacDonald asked did the fire marshall have any difficulty with the distance between the tanks and the property line. Mr. Ritchie indicated that he did not.

Councillor MacDonald asked Councillor Deveaux if he had received any comments from the residents in the area. Councillor Deveaux indicated that he had visited the residents and some opposed, but not all the residents opposed the erection of these tanks.

Councillor Lichter asked Mr. Ritchie if he paid a fee when he applied for his permits. Mr. Ritchie indicated he had.

Councillor DeRoche asked if Metro Oil had made application and a hearing was held on January 8, 1982. Mr. Ritchie answered it was correct. Councillor DeRoche also inquired why it took twenty to twenty-one months to make an application for a Municipal Permit. Mr. Ritchie indicated that the time which evolved was taken up by searching for adequate facilities. Councillor asked Mr. Ritchie if they were not premature in arranging for the crane to come and move the tanks to an upright position on the 19th of December. Mr. Ritchie indicated that he did feel it was due to the fact it had been indicated to him a permit could be issued in four or five days.

Councillor MacKay asked if Metro Oil had leased the whole parcel of land from the owner. Mr. Ritchie indicated Metro Oil had leased 40 acres. Councillor MacKay asked if the parcel of land was 40 acres in size. Mr. Ritchie indicated the whole parcel of land was much larger than that and Metro Oil had leased only 40 acres. Councillor MacKay asked if the owner was in the oil business and if he was carrying on his business from the same area as well. Mr. Ritchie answered that the two areas where Metro Oil and the owner are carrying on their respective businesses are separated by the Autoport Road and are operated independently of one another.

Warden MacKenzie asked which part of the parcel of land Metro Oil would be expanding on. Mr. Ritchie indicated it would be on the same parcel which has an I-2 zoning.

Councillor Margeson asked if a sketch was the preliminary sketch. Mr. Ritchie replied it was the preliminary sketch. Councillor Margeson also questioned if Mr. Ritchie was then asked to bring in a second sketch. Mr. Ritchie replied he was. Councillor Margeson asked if the planning people had indicated to him on his first visit he was required to be a minimum of 100 feet from the property line. Mr. Ritchie informed Councillor Margeson that he was not told.

Warden MacKenzie asked if there were other people wishing to speak in favour of the application.

SPEAKERS IN OPPOSITION

Mr. Tom White a resident of the immediate area spoke in opposition of the application. Mr. White indicated he wanted to know the effect of fumes or if in fact there will be any fumes from the tanks. He indicated his property was 51 feet from the tanks. He also wanted to know if it would be safe to be living within 51 feet of the gas/oil storage tanks.

Councillor Deveaux indicated the regulations put into effect by the Federal Fire Marshall only call for 50 feet set back. He also indicated that the federal regulations had been adopted by the Provincial Fire Marshall in Halifax.

Mr. White also voiced concern about sparks flying from his chimney as the result of a wood stove burning and creating a fire or explosion. It was agreed by Council Mr. Ritchie could address these particular questions. Mr. Ritchie indicated there would be no danger.

Councillor Snow asked if there were any tanks in the area when the houses were built. Mr. White replied that there were, but he was under the impression that it was CaCl which was stored in the tanks.

Councillor Mont asked for clarification of the location of the tanks. Mike Hanusiak from the Planning Department indicated on the map where the tanks were.

Councillor MacDonald asked for further clarification as to who owned a piece of property shown on the map. Mr. Hanusiak indicated he was not certain if it was Metro Oil or a private resident. Mr. Ritchie indicated it was presently owned by a private resident, however, Metro Oil was negotiating to purchase the property.

Warden MacKenzie asked for other speakers in opposition to the application.

Mr. Steve Naugle owner of the property which abuts the property in question here this evening also spoke in opposition to the application.

Mr. Naugle asked if the residents were notified regarding the construction of the tanks. Councillor Deveaux answered that residents were notified of the distance the tanks would be from their property lines.

Mr. Naugle asked Mr. Ritchie if the tanks were brought to the site in one piece. Mr. Ritchie indicated that was correct. Mr. Naugle asked if the tanks had to be completely disassembled to move them the required 50 feet. Mr. Ritchie indicated the pipes, fittings, etc. would have to be disassembled, but not the tanks themselves.

Mr. Naugle asked where the tanks came from. Mr. Ritchie told Mr. Naugle the tanks were brought to Eastern Passage from just outside Moncton.

Warden asked for questions from Council directed to Mr. Naugle.

MOTION AND DISCUSSION BY COUNCIL

Councillor Deveaux indicated that the MDP had zoned this property as industrial (I-2). Councillor Deveaux indicated he would be in favour of moving the smaller tanks if the larger tanks were moved as well, however, under the circumstances, where only the small tanks will be moved he did not see any justification for moving them.

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

"THAT Council approve the minor Variance as requested by Metro Oil Company."  
Motion Carried.

COUNTY FLOAT

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

"THAT the item of a County Float be referred to the Policy Committee for study and a report to Council."

Councillor MacKay asked what the intent was to have a county float and to what degree or what participation. Warden MacKenzie indicated it would be similar to the type of float the county has had in the past.  
Motion Carried.

CONFLICT OF INTEREST

Councillor MacKay indicated he was concerned about the County's employees speaking out against the Municipal Government and if there were any controls over employees in this regard. Mr. Cragg indicated that legislation for conflict of interest had been initiated but its intent was in fact to regulate the conduct of the Councillors. It was also indicated that some type of financial gain on the part of the employee must be proven in order for this type of dissidence to be considered a conflict of interest.

Councillor Mont asked if there was a policy on the books defining the acceptable behavior of a County Employee in this type of situation. Warden MacKenzie indicated he did not know if there was a policy or not.

Councillor MacDonald asked if there were disciplinary measures described in the policy procedures.

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

"THAT this item be forwarded to Policy Committee for research and determination and brought back to Council."  
Motion Carried.

MEETING

Councillor Lichter indicated that the Councillors had met with the Minister of Municipal Affairs, the Hon. Tom MacInnis had taken place, and the session was very successful.

Councillor Lichter moved and was seconded by Councillor Margeson:

"THAT a letter be sent to the Hon. Minister Municipal Affairs, Tom MacInnis, expressing Council's appreciation for the atmosphere negotiations and the resulting recommendations."  
Motion Carried.

CORRESPONDENCE FROM DEPARTMENT OF PUBLIC WORKS CANADA

Deferred until Regular Council Session March 6, 1984.

CORRESPONDENCE

Mr. Kelly read the letter from the Department of Transportation concerning the proposed highway connecting Terence Bay and West Pennant. Mr. Kelly indicated that the Minister had written in the letter and the road would not be constructed at this time.

There was some general discussion by Council suggesting that the road be constructed in segments of a mile or two at a time.

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

"THAT a letter be sent to the Minister of Transportation, the Honorable Jack MacIssac asking when the department feels it will be feasible to begin construction on this highway."  
Motion Carried.

REPORT OF THE PLANNING ADVISORY COMMITTEE

Mr. Kelly presented the second item from the planning advisory committee concerning the rezoning for applications ZA-SA-01-84, ZA-EP/CB-02-84, ZA-CH/W-03-84, ZA-t/B/L-04-84 and ZA-LM/P-05-84 to alleviate the administrative problems and inconvenience to the public caused by the existing setbacks.

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

"That the Public Hearing for these applications ZA-SA-01-84, 02-84, CH/W -03/84, ZA-t/B/L-04-84, and ZA-LM/P-05-84 be set for March 26, 1984 at 7:00 p.m."  
Motion Carried.

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

That Mrs. Dorothy Cartledge be appointed Development Officer during Mr. Bob Gough's absence in accordance with Section 77(3) of the Planning Act."  
Motion Carried.

REPORT OF THE DIRECTOR OF DEVELOPMENT

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

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

MANAGEMENT COMMITTEE REPORT

Mr. Kelly read the report of the Management Committee recommending that the successful petitions be submitted to the Department of Transportation for consideration.

There was some general discussion regarding petitions which had been sent to areas and not received or noted in the lists presented in the report. Mr. Wdowiak was asked to provide information to the appropriate councillors on the following streets: 1. Thompson Drive; 2. Wellington Drive; 3. Oakview Street; 4. Oakview Drive; 5. Cherry Lane; and 6. Tucker Lake Drive.

Mr. Wdowiak indicated that First Street and Glenwood Drive had been received as successful petitions.

It was moved by Councillor Margeson and seconded by Councillor Snow:

"THAT all successful petitions and surveys for roads not included here which are successful be forwarded to the Department of Transportation for consideration."  
Motion Carried.

It was moved by Councillor DeRoche and seconded by Councillor Margeson:

"THAT policy committee be directed to study setting up cut-off dates for petitions for streets to be paved each year and report back to Council with their findings."  
Motion Carried.

REQUEST FOR LOAN--GOFF'S FIRE DEPARTMENT

Mr. Kelly read the report from Management Committee requesting a loan for the Goff's Fire Department in the amount of \$24,860 for the purchase of a fire truck based on a ten year repayment plan.

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

"THAT Council approve the request for a loan in the amount of \$24,860 for the purchase of a fire truck for the Goff's Volunteer Fire Department."  
Motion carried.

TRANSFER TO CAPITAL FUNDS--\$100,000

Mr. Kelly read the report from Management Committee requesting the allocation of \$100,000 from the 1983 Budget to complete the renovations to the Municipal Building. These funds are necessary for the provision of furnishings, shelving, etc.

Councillor Lichter voiced some concern regarding the actual cost of the renovations to the Municipal Building and asked that the initial projections and the actual costs be brought to Council for review.

It was moved by Councillor DeRoche and seconded by Deputy Warden Adams:

"THAT Council approve the request from Management Committee to allocate \$100,000 from the 1983 budget to complete the necessary renovations to the Municipal Building."  
Motion Carried.

POLICY COMMITTEE REPORT

Mr. Kelly read the report by Policy requesting a District Capital Grant for District 14 in the amount of \$5,527 for the District 14 Volunteer Fire Department.

It was moved by Councillor Margeson and seconded by Councillor Snow:

"THAT the request for the District 14 District Capital for the District 14 Volunteer Fire Department in the amount of \$5,527. be approved."  
Motion Carried.

Mr. Kelly read the report received from Policy Committee recommending a District Capital Grant be approved for District 16 in the amount of \$957 for paving a public walkway on Prince Street.

It was moved by Councillor Snow and seconded by Councillor MacDonald:

"THAT Council approve the request from District 16 for a District Capital Grant for paving a public walkway on Prince Street in the amount of \$957."  
Motion Carried.

Mr. Kelly read the report from Policy Committee recommending Council approve a district capital grant for District 16 to fence a public walkway located on Skyridge Avenue in the Amount of \$2,605.

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

"THAT Council approve the request from District 16 for a District Capital Grant for fencing a public walkway located on Skyridge Avenue in the amount of \$2,605."  
Motion Carried."

Mr. Kelly presented the report from Policy Committee recommending Council approve a District Capital Grant for District 6 for the purchase of equipment by the Eastern Passage Volunteer Fire Department in the amount of \$4,000.

Mr. Kelly read the report from Policy Committee requesting Council approve a District Capital Grant for District 8 in the amount of \$6,000 for the North Preston Recreation Association for the completion of the community recreation and sports center.

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

"THAT Council recommend approval of the grant for District 8 for a District Capital Grant to complete the North Preston Recreation Association community recreation and sports center in the amount of \$6,000."

Motion Carried.

Mr. Kelly presented the report from Policy Committee requesting Council approve the request of the Dartmouth General Hospital commission to present a new report concerning a grant that will be requested. Mr. Kelly indicated that the Policy Committee indicated the Commission should include in their presentation a budget breakdown differentiating equipment expenditures and capital construction expenditures.

It was moved by Councillor DeRoche and seconded by Councillor Deveaux:

"THAT the recommendation by the Policy Committee requesting the Dartmouth Hospital Commission to present a report to Council outlining their request which would include a budget breakdown differentiating equipment expenditure and capital construction expenditures."

Motion carried.

Mr. Kelly presented the report from Policy Committee recommending a committee be appointed to discuss issues with those areas of the County who may wish to annex, incorporate, etc.

It was discussed by Council and many concerns were voiced by the Councillors. One major concern was that the committee would be fluctuating membership. A second concern was that the members of the committee as proposed would include elected representatives as well as county staff and it may not be in the best interest of the County to have elected officials discussing possible separation from the County.

Warden MacKenzie indicated he had already had one request for a meeting from a community representative. After some further general discussion;

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

"THAT the special committee item be referred back to Policy Committee to set up a mandate and define the terms of reference for the special committee."

Motion Carried."