

It was advised that the following resolution was passed as a result of this discussion:

"That Council request the Minister of Municipal Affairs to make the necessary amendments to the Regional Development Plan immediately, in order to allow the Municipality to implement those sections of the Subdivision By-Law which are affected."

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

"THAT this report be received."  
Motion Carried.

## 2. City of Halifax Annexation

The report indicated that the Planning Advisory Committee wishes to advise Council that the City of Halifax has made amendments to its Municipal Planning Strategy and Land Use By-law to accommodate those lands annexed from the County of Halifax. These amendments have been approved by the Minister and are not appealable.

It was indicated that the Planning Advisory Committee wishes to inform Council that it is not in agreement with the above, but are willing to accept the changes as inevitable.

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

"THAT this report be received."  
Motion Carried.

## 3. Development Agreements - Waiving Of The Fee For Advertising Costs

The report advised that at the January 14, 1985 meeting of the Planning Advisory Committee it was recommended that council waive the fee for the costs of advertising for the following development agreements: Mr. Charles Conrad, Timberlea; Ocean View Estates Mobile Home Park.

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

"THAT Council waive the fee for the costs of advertising for the development agreements for Mr. Charles Conrad, Timberlea and Ocean View Estates Mobile Home Park."

Councillor MacKay requested an explanation as to why the advertising costs be waived. Councillor DeRoche advised that, in the case of Mr. Charles Conrad, Timberlea, it is to correct an oversight in the Timberlea/Lakeside/Beachville Plan. Councillor DeRoche stated that there is a minority opinion that the developer, in the case of the Ocean View Estates Mobile Home Park, should pay the advertising costs with respect to the amendment.

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

"THAT Ocean View Estates be deleted from the previous motion."  
Motion Carried.

DIRECTOR OF DEVELOPMENT REPORT

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

"THAT this report be received."  
Motion Carried.

EXECUTIVE COMMITTEE REPORT

Request for District Capital Grant, District 11

It was advised that a request was received for a District Capital Grant, District 11 in the amount of \$2,833.81 to supply and install chainlink fencing on the Sheet Harbour Lions Club Park.

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

"THAT a District Capital Grant, District 11 in the amount of \$2,833.81 for improvements to the Sheet Harbour Lions Club Park be approved."  
Motion Carried.

Request for Loan - Herring Cove & District Volunteer Fire Department

It was advised that a request was received for a loan for the Herring Cove and District Volunteer Fire Department in the amount of \$116,000 for the purpose of acquiring a fire vehicle. The loan would be advanced over a ten (10) year period with interest.

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

"THAT a loan to the Herring Cove and District Volunteer Fire Department in the amount of \$116,000 to be repaid over a ten (10) year period of principal and interest be approved with the Municipality reserving the right to levy an area rate in default of principal and/or interest payments."  
Motion Carried.

Request for Funds - Nova Scotia Housing Commission Funds

It was indicated that a request was received for an allocation of funds in the amount of \$5,819.05 from the Nova Scotia Housing Commission Funds for the purpose of constructing a fitness trail at Sackville.

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

"THAT an allocation of funds in the amount of \$5,819.05 from the Nova Scotia Housing Commission Funds for the purpose of constructing a fitness trail, Sackville be approved."  
Motion Carried.

METROPOLITAN AUTHORITY REPORT - COUNCILLOR MacDONALD

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

"THAT this item be deferred until the next Council Session."  
Motion Carried.

APPOINTMENT OF REPRESENTATIVE TO THE BOARD OF HELP AGENCY

It was agreed that this item be deferred until the next Council Session.

POLICE PROTECTION - COUNCILLOR BAKER

It was agreed that this item be deferred until the next Council Session.

SUBMISSION RE EXPROPRIATION OF LANDS - COUNCILLOR MacKAY

Councillor MacKay advised that the following recommendation is for the purpose of expropriating land at the Aerotech Business Park.

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

"THAT whereas the objectives of the Halifax County Industrial Commission are to solicit and encourage the establishment of a new industry and to make recommendations to the Municipality respecting the provisions of sites suitable for industrial park and whereas the Halifax County Industrial Commission has acquired Block A, Block B, Lot D1, and Lot D2 as shown on the planned survey prepared by A. E. Wallace, NS land surveyor, dated the twenty fifth of April, A.D., 1984, and whereas the Halifax County Industrial Commission is recommending to the Municipality of the County of Halifax that the lands aforesaid be expropriated to clarify the state of the title there to in order to provide a site suitable for an Industrial Park and whereas the County of the Municipality of the County of Halifax may pursuant to paragraph 172 (1) (F) of the Municipal Act circuit 192 as amended expropriate land which it deems necessary to acquire for a purpose for which it may lawfully spend and BE IT RESOLVED that the Municipality of the County of Halifax deems it necessary to acquire, and that the Council does hereby expropriate, that portion of the lands of the Halifax County Industrial Commission, and any unknown parties, forming part of the "Aerotech Park", at Goffs, Halifax County, and of the fee simple and all the title thereto, saving and excepting three easements and a small parcel of land, all of which is more particularly set out in the description annexed hereto as Schedule "A", and outlined in red on the Plan in Schedule "B" annexed hereto, for the purpose of clarification of title to an industrial park to be established by the Halifax County Industrial Commission. BE IT FURTHER RESOLVED that the nature of the interest intended to be expropriated hereby



is the full estate, beneficial and legal, in fee simple, and such interest is intended not to be subject to any existing interest in the land other than as herein mentioned. BE IT FURTHER RESOLVED by the aforesaid Council that this Resolution be a certificate of approval within the meaning of para. 11(1) (e) of the Expropriation Act, S.N.S. 1973, c.7, as amended, and that the Municipal Clerk in and for the Municipality of the County of Halifax be and is hereby authorized to execute true copies of this Resolution and any and all such further documents as may be required pursuant to the aforesaid expropriation."  
Motion Carried.

Councillor MacKay informed that Mr. Lorne Denny has worked long and diligently for some length of time with a gentleman from the Grand Masters Wine Agencies. Councillor MacKay officially announced that the winery is going on the lands adjacent to the airport hotel. He stated that they have applied for the building permit and they plan on starting construction as soon as the weather permits. He reported that approximately sixteen jobs will be created at first and approximately thirty will be created in a span of five years. Councillor MacKay applauded Mr. Denny for the hard work that he has performed with regard to this project.

#### ADDITION OF ITEMS TO AGENDA

##### Musquodoboit Library Facility Funding - Councillor Wiseman

Councillor Wiseman expressed concern with regard to a letter she received from Ms. Gloria Hartling. Councillor Wiseman read the letter which indicated that the final level of funding for the Regional Library Board has not yet been determined. It was also stated that the increase in grants will not exceed five percent and it may well be less.

Councillor Wiseman stated that there was some urgency involved in that an indication is acquired to show how much funding will be made available.

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

"THAT the County forestall any further action on the rental agreement for the Musquodoboit Harbour Branch Facility until confirmation is received from the Department of Education for funding for the Branch and that a letter, from the Warden, be forwarded to all Halifax County M.L.A.'s indicating that urgency and seeking support for adequate funding to support their 1985 Regional Library Board Budget."  
Motion Carried.



Postal Service, Site 20, R.R.#1, Dartmouth - Councillor DeRoche

Councillor DeRoche expressed concern with regard to mail delivery on rural route delivery for Site 20, RR 1, Dartmouth. Councillor DeRoche stated that part of the problem is that mail is getting mixed up and he stated an instance where mail was found on the ground behind a site box containing drugs. Councillor DeRoche felt this situation is undesirable.

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

"THAT Council request Michael Warren, President, Canada Post Corporation to resolve difficulties with mail delivery for Site 20, R.R.#1 Dartmouth, in conjunction with a petition of the residents of that area."

Councillor DeRoche also requested that the letter, being directed to the President of Canada Post, be copied to the member of parliament for the area, Mr. Michael Forrestall, M.P. at his request, Hon. David Nantes and Hon. Thomas J. McInnis.

Motion Carried.

Planning Act - Councillor Deveaux

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

"THAT this item with regard to the Planning Act be deferred to the Executive Committee."  
Motion Carried.

ADDITION OF ITEMS TO THE FEBRUARY 5, 1985 COUNCIL SESSION

Councillor Larsen - Amusement Arcades.

There being no further business, the meeting adjourned.

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

O F T H E

T H I R D 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

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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

F E B R U A R Y C O U N C I L S E S S I O N

T U E S D A Y , F E B R U A R Y 5 a n d 19 , 1985

&

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

F E B R U A R Y 11 a n d 25 , 1985

**PUBLIC HEARING**  
**FEBRUARY 11, 1985**

PRESENT WERE: Warden MacKenzie, Chairman  
Deputy Warden Walker  
Councillor Poirier  
Councillor Larsen  
Councillor Baker  
Councillor Deveaux  
Councillor DeRoche  
Councillor Adams  
Councillor Gaetz  
Councillor Bayers  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Councillor MacKay  
Councillor McInroy  
Councillor MacDonald  
Councillor Wiseman  
Councillor Mont

ALSO PRESENT: Mr. R. Cragg, Municipal Solicitor  
Mr. G. J. Kelly, Municipal Clerk  
Mr. K. Birch, Director of Planning and Development  
Joan MacKinnon, Planner

SECRETARY: Margaret MacDonell

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CALL TO ORDER

Warden MacKenzie called the meeting to order at 7:00 p.m. with the Lord's Prayer.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Margaret MacDonell be appointed as Recording Secretary."  
Motion Carried.

STAFF REPORT FOR APPLICATION NUMBERS ZA-SA-39-84, ZA-CH/W-40-84,  
ZA-EP/CB-41-84, ZA-LM-42-84, ZA-TLB-43-84

Ms. MacKinnon indicated that the by-laws being considered concern a requirement for reserved parking spaces for the mobility disabled.

It was advised that the Municipality has received one written submission, attached to the agenda, from the Disabled Individual's Alliance (DIAL).



Ms. MacKinnon stated that the proposed amendments apply to the five plan areas only; they do not apply to the areas outside the plan areas.

Also, as stated in the report, Ms. MacKinnon indicated that the request from the Disabled Individual's Alliance addressed two main concerns. The first concern addressed is that reserved spaces be required as part of the R-Zoning By-laws. The second part of their request, as stated in the report, deals with the fact that reserved spaces be designed in such a way that they are usable and that they meet the particular needs of their users.

It was further stated that there are also two parts to the proposed amendments to the zoning by-law. The first part, as indicated by Ms. MacKinnon, establishes the schedule of reserved spaces. Ms. MacKinnon advised that this schedule applies mainly to larger commercial uses and institutional uses in the plan area. She went on to say that it is also a base, for the most part, on the recommendations of the Disabled Individual's Alliance. This schedule of parking spaces is described on pages one and two of the report.

Ms. MacKinnon made reference to the standards for the reserved spaces in parking lots. She advised that the first standard increases the minimum width of a reserved spaced from eight feet to twelve feet. The second one states that where a curve is provided that that curve be ramped. The third one requires that the reserved space be as close as possible to the location it is intended to serve and, fourthly, a ground sign is required to identify the space.

Ms. MacKinnon advised that Staff recommends that all five zoning by-laws in the plan areas be amended to incorporate these reserved parking spaces.

#### QUESTIONS FROM COUNCIL

Councillor MacKay inquired as to the interpretation for the homes for the aged, nursing homes, etc. Ms. MacKinnon advised that homes for the aged and nursing homes do not include senior citizens apartments. She indicated that they are facilities for people that require nursing care and do not live on their own in a senior citizens apartment unit.

Mr. Kelly read a letter addressed to the Warden and Council regarding reserved parking for the mobility disabled, from Fred Canavan, R. R. #1 Mt. Uniake. Mr. Canavan, in his letter, expressed support for the amendments to zoning by-laws which are intended to make adequate provision for persons with mobility disabilities.

#### SPEAKERS IN FAVOUR OF APPLICATION NUMBERS ZA-SA-39-84, ZA-CH/W-40-84, ZA-EP/CB-41-84, ZA-LM-42-84, ZA-TLB-43-84

Margaret Hiltz, Apt. 1016, 5651 Ogilvie Street, Halifax, expressed desire to speak in favour of the proposed amendments to provide usable reserved parking spaces for the mobility disabled.

Ms. Hitz advised that she is presently transportation chairman for Disabled Individual's Alliance and is the immediate past president of the association.

Ms. Hiltz circulated copies of a written paper which she submitted in support of this request for standard parking spaces for mobility disabled people. Ms. Hiltz made reference to the background on their activities in this regard. She advised that during the summer of 1984, they received a Canada Work's Grant to research and promote parking spaces usable by mobility disabled people in the Halifax - Dartmouth - Metro area. One aspect of their research, as indicated by Ms. Hiltz, was to determine what other cities were doing. She indicated they wrote approximately thirty (30) major cities and received nearly twenty (20) replies. Ms. Hiltz indicated that about one third of these cities had regulations in this respect. Ottawa was chosen as their model. She advised that the by-laws of our capital city are comprehensive and they believe fair to both the disabled and undisable population.

Ms. Hiltz further noted that the twelve foot width that they specify is stated in Building Supplement #5 of the National Building Code. She indicated that they would like to see the Halifax - Dartmouth - Metro area adopt similar by-laws.

Mr. Paul Jamieson, 5671 Dufus Street, Halifax, indicated his desire to speak in favour of the proposed amendments.

Mr. Jamieson indicated that he is a vehicle owner and stressed the importance of the twelve foot space instead of an eight foot wide reserved space.

Mr. John MacDonald, 231 Old Beaverbank Road, Sackville, also spoke in favour of the proposed amendments.

Mr. MacDonald indicated that he was coordinator for (DIAL) on the summer 1984 project. He advised that they found, through their research, that there is a need for reserved parking for the handicapped.

Councillor DeRoche inquired if Mr. MacDonald found any parking spaces reserved for handicapped people within the Municipality in their survey last year. Mr. MacDonald indicated that they did find some but they were not the recommended width that they are requesting. He also stated that they were close to the main entrances.

Merilyn McCann, 3111 Stanford Street, Halifax, indicated her desire to speak in favour of the proposed amendments. Ms. McCann advised that she worked with Mr. MacDonald on the summer works project for DIAL. She noted that, from surveying different parking lots in the City and in the County, that there is a need for these changes which are listed in the staff report.

SPEAKERS IN OPPOSITION TO APPLICATION NUMBERS ZA-SA-39-84,  
ZA-CH/W-40-84, ZA-EP/CB-41-84, ZA-LM-42-84, ZA-TLB-43-84

None.

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

"THAT Council pass the applicable zoning by-law changes for the Sackville Municipal Development Plan."

Councillor McInroy expressed concern with regard to the Multiple Dwelling requirement. Mr. Birch advised that it is unusual to get a block of town houses with thirty or more units. He indicated that in multiple unit developments, town houses, etc., often contain individual driveways which would more than meet the requirements of the by-law.

Motion Carried.

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

"THAT Application Number ZA-CH/W-40-84 - Cole Harbour/Westphal , by Amending Section 4.27 Parking Requirements be approved."  
Motion Carried.

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

"THAT Application Number ZA-EP/CB-41-84 - Eastern Passage/Cow Bay, by Amending Section 4.28 Parking Requirements be approved."  
Motion Carried.

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

"THAT Application Number ZA-LM-42-84 - North Preston, Lake Major, Lake Loon/Cherry Brook, and East Preston, by Amending Section 5.24 Parking Requirements be approved."  
Motion Carried.

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

"THAT Application Number ZA-TLB-43-84 - Timberlea/Lakeside/Beechville, by amending Section 4.28 Parking Requirements be approved."  
Motion Carried.

#### STAFF REPORT FOR APPLICATION NUMBER DA-EP/CB-13-84-06

Ms. MacKinnon stated that a comprehensive development district was created at Ocean View Estates in Cow Bay by an amendment to the Municipal Planning Strategy. Ms. MacKinnon stated that in order for any development to proceed within the comprehensive development district, it is necessary to have a development agreement in place signed by all the land owners within the Ocean View Comprehensive Development District. It was further stated that this has been negotiated between the Municipality and all eleven land owners within the (CDD).

Ms. MacKinnon briefly highlighted some of the main conditions of the Agreement.



SPEAKERS IN FAVOUR OF APPLICATION DA-EP-/CB13-84-06

None.

SPEAKERS IN OPPOSITION TO APPLICATION DA-EP/CB-13-84-06

None.

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

"THAT Council enter into the Development Agreement with the Ocean View Estates Application Number DA-EP/CB-13-84-06."  
Motion Carried.

There being no further business, the meeting adjourned.

**PUBLIC HEARING**  
**FEBRUARY 25, 1985**

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

ALSO PRESENT: Mr. G. J. Kelly, Municipal Clerk  
Mr. M. Hanusiak, Planner  
Ms. Lynn Henry, Solicitor

SECRETARY: Margaret MacDonell

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CALL TO ORDER

Warden MacKenzie called the meeting to order at 7:00 p.m. with the Lord's Prayer.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Margaret MacDonell be appointed as Recording Secretary."  
Motion Carried.

STAFF REPORT FOR APPLICATION DA-DLB-03-84-02

Mr. Hanusiak indicated that the application before Council is for a Development Agreement between the Municipality and Marie A. Reardon and Joyce Reardon of Halifax for the proposed expansion of the Timberlea Trailer Park located in Timberlea.

It was advised that the property in question indicated in the Development Agreement as Schedule "A" contains all of the land belonging to the Applicant. Mr. Hanusiak stated that it is their desire to expand the Park in the areas as shaded on the overhead.

It was further stated that at the time of preparing the Agreement, a permit had been issued for mobile homes in this location prior to the by-law coming into effect. He went on to indicate that those permits were researched and, in fact, found to be valid. It was noted that there are presently mobile homes on that site so, depending on the manner in which the public hearing proceeds, this particular portion will be removed from the Agreement regardless simply because those permits were issued and found to be valid.

With regard to the Agreement, Mr. Hanusiak reviewed it briefly. He stated that Section #3 of the Agreement identifies the size of mobile home spaces that will be permitted in the Park. It was further advised that, for simplicity sake, Staff divided the Agreement up because it's the Applicant's possible intention to develop two areas in the Park; first the lands located in Schedule C. It was further noted that in Section #3 of the Agreement, it is asking that all lots have forty (40) feet of road frontage on the proposed park street in a minimum area of four thousand (4000) square feet.

Mr. Hanusiak made reference to Section #3B of the Agreement indicating that it speaks of lands identified in Schedule "C". It was advised that there is a noted difference between the requirements in #3A and #3B particularly with regard to the road frontage. Mr. Hanusiak stated that they are asking that if mobile homes are to be located along the St. Margaret's Bay Road that they, in fact, have sixty (60) feet of road frontage which is the traditional requirement under the present R-1 Zone. Secondly, Mr. Hanusiak stated that they are requesting that the individual mobile home spaces at least have six thousand (6000) square feet. It was noted that the purpose for that is that, if in fact mobile units are going to go in along the road, they take on the appearance, as close as possible, to a single family dwelling in terms of lot size and lot frontage.

Going on in the Agreement, Mr. Hanusiak indicated that there are conditions regarding the site preparation of the individual mobile home spaces particularly that they be free and clear of any refuse, that they be landscaped properly, parking spaces put in, and so forth.

Mr. Hanusiak stated that locational requirements, Section 5, speak of the proposed setbacks from the park street that is going to be built as well as the setback from Highway No. 3.

It was further advised that Section 6 talks about the mobile home stands themselves. Mr. Hanusiak stated that they are looking from the ground preparation, site preparations, moving upwards from its foundation. Section 7 speaks of the actual skirting of the mobile.



It was further indicated that Section 8 speaks of accessory buildings with regard to their relationship to the unit that would be the principal occupier of the space and also the distance from any park street and, in fact, any other unit located in the park.

Mr. Hanusiak advised that Section 9 references the business uses in the mobile home park. He further added that it is going to be up to the park owner, himself, to determine whether or not as landlord business uses will or will not be permitted in the park itself and if they are they are obliged to follow the requirements under the agreement.

Mr. Hanusiak indicated that the ultimate effect of Section 10 would be to have a twenty four (24) foot driving surface, eight (8) foot common spaces on each side, to form that forty (40) foot wide park extension. Subsection B of Section 10 indicates the type of materials that will be used in the construction of the mobile home road.

As one of the conditions to entering into this agreement, Mr. Hanusiak stated that you will see, from the pictures which are circulated, that the inner street that exists now is in somewhat of a poor shape. He noted that it has a lot of potholes in it and has surface drainage problems. Section 10 (C) of the Agreement indicates that, as a condition to the entering of the Agreement, in conjunction with the final conclusion of the road to a cul-de-sac, the Applicant will go back and bring the existing park street up to grade.

In closing, Mr. Hanusiak stated that one of the advantages to the park and its location is that it is adjacent to Governor Lake. He went on to say that a lot of units will be located up along the Lake. Mr. Hanusiak stated that they have asked for the Applicant to reserve a ten (10) foot walkway down to the River simply to allow any of the tenants in the park use of the lake itself.

#### QUESTIONS FROM COUNCIL

Councillor Poirier inquired if the proposed expansion is in agreement with the policies of the Municipal Development Plan for the Lakeside/Timberlea area. Mr. Hanusiak advised that to a certain degree yes. He indicated that there are always things that are open to opinion and he feels that the fact that mobiles are being proposed along the St. Margaret's Bay Road could be a point of concern in that the plan does ask for and direct that the ultimate housing stock be of a mixed variety but, in doing that, provide a certain degree of consistency. In that regard, Mr. Hanusiak advised that in locating mobile homes along the St. Margaret's Bay Road could, in fact, be argued as being inconsistent with the Plan but, again, that is open to interpretation and opinion.

Councillor Poirier inquired if it is just parks, in other words, that would be allowed. Mr. Hanusiak advised that new parks and expansions to the existing parks would be allowed.

Councillor Poirier advised that she has in her possession a petition signed by ninety eight (98) residents of the Timberlea area and the adjoining area of Parkdale subdivision.

Councillor Poirier read the petition indicating that the residents request that the owners move the front trailers to back-of-property expansion and, further, that mature trees be planted along the front of the property on Highway 3. The next paragraph advised that the residents have all spent, and are still spending, considerable money on water and sewer installation and the ensuing landscaping which should increase the value of their properties. The petition went on to state that with this frontal expansion of the Park, the residents feel property values will decrease and the area will be less attractive to prospective buyers. Councillor Poirier further advised, as stated in the petition, that this community is growing quickly with expensive new homes and to have trailers abutting houses on the Highway is out of place and not consistent with new development but, rather, a step backward.

Councillor Poirier also inquired as to how far a mobile has to be from a property line. Mr. Hanusiak stated that in a mobile home park, there really are no set property lines.

Councillor Poirier advised that Mr. Reardon was granted permits to put these three trailers on the property. Councillor Poirier inquired if there may have been an oversight on the part of the County. It was her opinion that permits were granted for something that really did not have a trailer zone on it. Councillor Poirier stated that she has yet to see any requirement or any application for an expansion for where these trailers are sitting. Mr. Hanusiak stated that, prior to the adoption of the plan and by-law, Mr. Reardon received a permit from the Building Inspection Department issued under the old mobile home by-law for the right to expand under lot three (3). Mr. Hanusiak advised that the permit was issued and, in fact, that permit is issued for site preparation work. He further noted that, once that work is done, subsequent to that the mobile homes can come in in accordance with the by-law. He stated that there is no need for a permit to be issued for the actual mobiles themselves. Mr. Hanusiak went on to say that he has had discussion with Mr. Hefler. Mr. Hanusiak stated that Mr. Hefler indicated to him that a permit was issued.

Councillor Poirier advised that they are not opposed in any way to this trailer court but they are opposed to those trailers all of a sudden right out on the road. She indicated that the trailer court was always secluded, very well kept, a nice place to live, and a very well respected place.

Mr. Hanusiak noted that Staff has looked at the situation with regard to the first mobile that is located adjacent to the St. Margaret's Bay Road. He indicated that it is, in fact, in violation of the permit that was issued in the sense that it is too close to the road. It was advised that correspondence has gone back and forth between Mr. Reardon and the Building Inspection Department indicating that it is in violation. Mr. Hanusiak advised that Mr. Reardon has responded that that unit will, in fact, be removed as soon as possible.

With regard to the rest of the units that are there, Mr. Hanusiak advised that they are there under a valid permit.

Mr. Hanusiak added that, in discussions with Mr. Reardon, he has indicated that if there is going to be public opposition with regard to putting units in along the area identified in Schedule "C" then he is willing to remove that from the Agreement and speak only of the area identified at the rear of the property.

Councillor DeRoche, with regard to Schedule "D", inquired as to how many trailers could be accommodated in that section. Mr. Hanusiak advised that four could be accommodated. Councillor DeRoche inquired as to how many trailers could be accommodated under Schedule "C" at four thousand (4000) square feet. Mr. Hanusiak advised that eleven or twelve could be accommodated.

#### SPEAKER IN FAVOUR OF APPLICATION - DA-DLB-03-84-02

Mr. Charlie Reardon indicated his desire to speak in favour of the application for the extension of the mobile home park in Timberlea.

Mr. Reardon indicated that he has spent approximately thirty thousand dollars (\$30,000) preparing that site for trailers. He further noted that he hoped Council would see its way clear to approve the extension of the trailer court.

#### QUESTIONS FROM COUNCIL

Councillor DeRoche inquired as to where Mr. Reardon would be prepared to move that first trailer. Mr. Reardon advised that they are prepared to move that trailer but it is difficult to do that in this type of weather. He noted that he does not hear anybody talking about a time restriction in that respect. Mr. Reardon further noted that the trailer was positioned incorrectly.

#### SPEAKER IN OPPOSITION TO APPLICATION DA-DLB-03-84-02

Mr. Gary Myers indicated his opposition to the proposed development agreement.

Mr. Myers presented a slide presentation to Council. The slide presentation presented the trailers and property being referenced.

Mr. Myers indicated that he did not oppose to Mr. Reardon expanding his trailer court to the back.

#### QUESTIONS FROM COUNCIL

Councillor Poirier inquired as to what the residents would accept in the line of expansion. Mr. Myers requested to keep that section of the St. Margaret's Bay Road wooded, no visible trailers, an attractive sign, and desirable trailer court.



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

"THAT the Agreement, as presented here this evening, be dealt with in the following manner: That Schedule "D" be deleted; That Schedule "B" be allowed as an expansion of Schedule "A"; That the first trailer on the road be removed; And that shrubber and a buffer be put along there and planted and brought forward to make the trailer court less obvious from the road as it always was the intention of that particular trailer court."

Councillor MacKay inquired if Schedule "D" is deleted and Mr. Reardon or anybody else wanted to make application for example single frame dwellings along there because there seems to be sufficient land, would it be permitted under permitted use in the Municipal Development Plan either by right or by rezoning. Mr. Hanusiak advised that the development along the Bay Road for single family dwelling would be permitted by right. He further noted that the lands presently zoned are R-1 in that area.

Councillor DeRoche indicated that it is his understanding that the first trailer was improperly placed; but, if it were to be moved ten (10) feet North, it would be in full compliance. Mr. Hanusiak stated that if Mr. Reardon tries to adjust the unit, he may very well be in violation of the by-law in its required separation distances and, secondly, he did not feel there was a physical space available for him to modify that.

Motion Carried.

Ms. Henry, Solicitor, indicated that this agreement is approved but the changes should be made in this agreement and then approved by Council.

There being no further business, the meeting adjourned.

I N D E X

Board of Help Agency -----	16 - 17
Charles Conrad - Public Hearing -----	3-11 & 23-25
Community School Program -----	13 & 33-34
Chief Building Inspector's Report -----	29
Dental Plan -----	12
District Capital Grant -----	14-15 & 27-28
Director of Development Report -----	26
Forestry Protection Committee -----	14
Fire Services Report -----	30-31
Heritage Advisory Committee - Appointment of Non-Council Members -----	17-18
Motion - Appointment of Recording Secretary -----	2 & 19
Motion - Approval of Minutes -----	2
Motion - Multiple Unit Dwelling Standards, Cole Harbour Westphal -----	3
Motion - Public Hearing re Charles Conrad -----	3-11 & 23-25
Motion - Public Hearings -----	11-12 & 25
Motion - Dental Plan -----	12
Motion - Salary Increase Non-Union Personnel -----	12
Motion - Meadowland Development Co. Ltd. -----	12-13
Motion - Community School Program -----	13 & 33-34
Motion - Designation Agreement, N.S. Department of Housing --	13 & 29
Motion - Weed Inspector Appointment -----	14
Motion - Forestry Protection Committee -----	14
Motion - District Capital Grant -----	14-15 & 27-28
Motion - Parkland Funds -----	15-16
Motion - N.S. Housing Commission Funds -----	16
Motion - Trash Receptacles -----	16
Motion - Board of Help Agency Appointment -----	16-17
Motion - Borrowing Resolution -----	17
Motion - Appointment of Acting Development Officer -----	17
Motion - Appointment of Non-Council Members, Heritage Advisory Committee -----	17-18
Motion - Agreement re Pratt & Whitney Canada Inc. -----	18
Motion - Adjournment -----	18 & 34
Motion - Letters & Correspondence -----	22-23
Motion - Parkland Donations -----	25-26
Motion - Director of Development Report -----	26
Motion - Timberlea Junior High School Property -----	26
Motion - Loan re Waverley Fire Department -----	26
Motion - Springfield Lake Pollution Control Study -----	27
Motion - St. Margaret's Bay Peace Movement -----	28
Motion - Metropolitan Authority Report -----	28-29
Motion - Chief Building Inspector's Report-----	29
Motion - Fire Services Report -----	30-31
Motion - Industrial Parks -----	32-33
Motion - Senior Citizens Housing District #4 -----	33
Motion - Post Office, Cole Harbour/Westphal Area -----	33
N.S. Housing Commission Funds -----	16

Public Hearings -----	11-12 & 25
Parkland Funds -----	15-16
Pratt & Whitney Inc. - Agreement -----	18
Parkland Donations -----	25-26
Salary Increase - Non-Union Personnel -----	12
Springfield Lake Pollution Control Study -----	27
St. Margaret's Bay Peace Movement -----	28
Senior Citizens Housing - Dist. #4 -----	33
Timberlea Jr. High School Property -----	26
Weed Inspector - Appointment -----	14
Waverley Fire Department - Loan -----	26



COUNCIL SESSION

TUESDAY, FEBRUARY 5, 1985

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

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer  
Mr. G. J. Kelly, Municipal Clerk  
Mr. R. Cragg, Solicitor, County of Halifax  
Mr. K. Birch, Chief of Planning and Development  
Mr. M. Hanusiak, Planner  
Mr. Gordon Michael

SECRETARY: Margaret MacDonell

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CALL TO ORDER

Warden MacKenzie called the meeting to order at 6:00 p.m. with the Lord's Prayer.

ROLL CALL

Mr. Kelly called the Roll.

Warden MacKenzie presented Mr. Kelly with a certificate from the Union of Nova Scotia Municipalities in recognition of twenty five (25) years of dedicated service in Municipal Government in the Province of Nova Scotia.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Margaret MacDonell be appointed as Recording Secretary."  
Motion Carried.

APPROVAL OF MINUTES - JANUARY 7, 1985 PUBLIC HEARING; JANUARY 8, 1985  
REGULAR SESSION; JANUARY 15, 1985 REGULAR SESSION; JANUARY 21, 1985  
PUBLIC HEARING

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

"THAT the minutes of January 7, 1985 Public Hearing be approved as  
circulated."  
Motion Carried.

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

"THAT the minutes of January 8, 1985 Regular Session be approved  
as circulated."  
Motion Carried.

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

"THAT the minutes of January 15, 1985 Regular Session be approved  
as circulated."  
Motion Carred.

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

"THAT the minutes of January 21, 1985 Public Hearing be approved  
as circulated."  
Motion Carried.

PRESENTATION - GORDON MICHAEL

Mr. Gordon Michael discussed the Community School concept. He stated that he is proposing to take twenty to twenty five people to a one week workshop in Flint, Michigan to examine this concept of community schools. He went on to say that the workshop would stimulate types of things that can be done within the County to better serve the people.

Councillor Wiseman inquired if there was an organized program for the week and who would present that program. Mr. Michael advised that there is an organized program which begins on Monday and ends on Friday.

AGENDA ITEMS

Councillor Gaetz - Social Services Office, Cole Harbour Re Snow  
Mr. Meech - Agreement Re Pratt and Whitney Company Ltd. - Aerotech Park

Notice of Reconsideration - Councillor McInroy

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

"THAT Council approve re-consideration of the decision on the main motion that was voted on January 15, 1985 Public Hearing Re Multiple Unit Dwelling Standards Within the Cole Harbour/Westphal Land Use By-Law."

Mr. Cragg, in his opinion, felt that only those Council members who were present at the Public Hearing on January 7 should vote on this motion to reconsider. He advised that a majority vote would be taken for this particular vote. Council discussed the matter of the vote with regard to the motion of reconsideration at some length.

Motion Defeated.

Prior to the Council Session, copies of a letter were circulated to the Warden and members of Council from Fiona M. G. Imrie, Doucet & Associates. The letter was with regard to the proposed reconsideration of R-4 requirement in C-2 Zone for the Cole Harbour/Westphal Area. Mrs. Imrie, in her letter, advised that the proposed developer of the lands, is opposed to this zoning change and also opposition to the motion for reconsideration was presented.

PUBLIC HEARINGAMENDMENT TO THE ZONING BY-LAW FOR TIMBERLEA/LAKESIDE/BEECHVILLE

Mr. Hanusiak referred Council to a document, which was circulated to all Council Members, dated January 8, 1985 Council Session, Supplementary Report of the Planning Advisory Committee.

Mr. Hanusiak noted, in perusing the report, that Mr. Charles Conrad has an autobody business and a trucking business in the Timberlea area. He stated that because of identification under certain appendixes in the zoning by-law for Timberlea/Lakeside/Beechville, Mr. Conrad is unable to expand the business nor is there any provision in the by-law to allow him to expand by amendment or by development agreement.

Mr. Hanusiak advised that Mr. Conrad met with the Planning Advisory Committee on December 28, 1984. He indicated that the outcome of that meeting was an instruction by the Planning Advisory Committee to the Department of Planning and Development to prepare the necessary amendments to the zoning by-law which would move Mr. Conrad's business from Appendix "D" to Appendix "B" which would allow, in effect, Council to consider expansion to Mr. Conrad's business by development agreement.



Councillor DeRoche inquired if this matter was discussed at the Planning Advisory Committee meetings with reference to the motions put at the Council Session whereby the Timberlea/Lakeside/Beechville Plan was adopted and whereby the Conrad property was placed in the Appendix. Mr. Hanusiak indicated that it was discussed during the adoption of the zoning by-law but he advised that he is not familiar to the background as to the pros and cons and the discussions that took place.

SPEAKERS IN FAVOUR OF THE PROPOSED AMENDMENT TO THE ZONING BY-LAW FOR  
TIMBERLEA/LAKESIDE/BEECHVILLE

None.

SPEAKERS IN OPPOSITION TO THE AMENDMENT TO THE ZONING BY-LAW FOR  
TIMBERLEA/LAKESIDE/BEECHVILLE

Mr. Grant Gerlitz, 3029 St. Margaret's Bay Road, indicated his desire to speak in opposition to the amendment.

Mr. Gerlitz presented to the Warden a petition containing approximately forty one names of people within the immediate area opposed to the change of the zoning by-law for Timberlea/Lakeside/Beechville area in which to permit expansion of Conrad's Auto Repair.

Mr. Gerlitz stated that this proposed business expansion is not compatible with the surrounding residential environment in scale or external appearance. He also stated that in a new commercial development, it should be to provide service or retail goods to the community. He went on to say that a business that supplies trucks to salt and sand the streets of Halifax would not benefit their community.

Mr. Gerlitz also expressed concern with regard to the health hazards of having trucks that carry road salt on or near their properties and the possibility of having salt entering the ground water and contaminating their wells is a fear. The concern with regard to property values being lowered was also expressed.

Mr. Gerlitz also expressed the concern of having large trucks travelling over the roads as there are a number of children in the area. He went on to say that they are not excited about the idea of having another large building in their midst.

QUESTIONS FROM COUNCIL

Councillor Lichter inquired if the community residents would rather have the trucks under cover or outside. Mr. Gerlitz advised that they would prefer to have them inside.

Councillor Snow inquired if it would not be better if the Conrad property was under an agreement as proposed with fences and the proper management rather than as it is now. Mr. Gerlitz indicated it would providing that Mr. Conrad would comply with all the regulations in the proposed amendment.

Councillor MacKay inquired if he was correct in hearing that the Conrads were loading salt on the trucks in the yard. Mr. Gerlitz advised that this was correct. Councillor Lichter indicated that during the cold weather Mr. Conrad was unable to use a bulk supply of salt because of the freeze up in the amount of labour that it required to break it up. He stated that this would not be the case if the amendment went through.

Mrs. Anne Fournier, Timberlea, indicated her desire to speak in opposition to the amendment.

Mrs. Fournier advised that in March, 1982, when the Municipal Plan was brought forward to Council, her husband spoke as a member of the public participation committee. She advised that because the people speaking in favour of the proposal spoke first and only those opposing spoke later, no one could answer or speak again. Mrs. Fournier felt that at that time Council, in allowing this request by both Mr. Jollimore and Mr. Conrad, acted against the wishes of both the Staff who had worked very hard over eighteen months in the Planning Sessions and a number of people on the committee.

Mrs. Fournier advised that Mr. Hanusiak stated that when the development plan was passed in 1982 that there was trucking. Mrs. Fournier felt that this was an inaccurate statement and that this property was just an autobody repair shop. She stated that it was not trucking and it was not put on the Appendix "D" or on the nonconforming list.

Mrs. Fournier pointed out that there is no fencing on the property at this time and that there is quite a bit of salvage in the backyard extending over the one lot that was put on Appendix "D". She commented that they have already gone over their property boundary. Mrs. Fournier indicated that there is a mobile home within approximately twenty (20) feet of the autobody shop.

Mrs. Fournier also referred to the term "obnoxious" in the by-law on page eight (8). She stated that there has been lots of noise and vibration relating to this property. It was further noted that if Council allows this expansion, than the only logical result is that these problems relating to noise, etc. will increase. Mrs. Fournier indicated that people have tolerated what has been there now.

Mrs. Fournier also made reference to the unsightly premises by-law. It was also noted that at least three to four of Mr. Conrad's vehicles have been parked on or near the highway.

Mrs. Fournier made reference to the dangerous curb located in the Community known as "Dead Man's Curb". She further noted that a very serious accident occurred approximately three years ago directly in front of this autobody shop. It was further indicated that if expansion occurs, there will be more trucks going in and out, where they don't have a wide enough driveway, there is no proper entrance or exit, there is suppose to be sufficient parking lot space available, there is also suppose to be turning available, and also there is a school bus stop in this area. Mrs. Fournier further noted that there have been times when her children have had to

walk in the road, not on the embankment along the road, because they have had vehicles out there. She went on to say that they have been a very tolerant people but they have tried to be cooperative and not to infringe on them all the time.

In conclusion, Mrs. Fournier stated that there have been problems with septic tanks from the adjoining property. She indicated that this would be an additional health hazard if there is expansion.

Mrs. Fournier questioned that if expansion occurs, does this mean that more people will be present and more employment, resulting in further health hazards. Mrs. Fournier felt that these are a lot of serious questions that she has hoped Council has thought about.

#### QUESTIONS FROM COUNCIL

Mrs. Fournier, in response to Deputy Warden Walker's question, stated that Mr. Conrad, in her opinion, has not abided by what this Council allowed him to become being put on Appendix "D" rather than being non-conforming by showing his goodwill in keeping his property clean. She felt that he has already overstepped those bounds, and yet Staff is proposing to move him to Appendix "B" and put him on expansion.

In her presentation, Mrs. Fournier stated that Mr. Conrad has every right and freedom is a right that all citizens have as long as you do not infringe on the rights and livelihood of others as well.

Mrs. Fournier advised that a residential environment exists in the community. She indicated that there is no Commercial Zoning; the property is R-4. Mrs. Fournier further stated that everything in the surrounding area is zoned R-1 except for Mr. Fudge who is zoned R-3.

Councillor Eisenhauer inquired if this is the first year for the Conrad storage salting business. Mrs. Fournier stated that she could not answer that question because she does not live directly on the road and that she does not check his operations.

Mrs. Fournier indicated that she does not interfere unless she feels it is a danger to her family or to the rest of her neighbours.

Councillor Poirier stated that she has looked into the situation to the best of her ability and further noted that she had spent some time in the Planning Department with Mr. Hanusiak. She stated that what Mr. Hanusiak had presented to her is something that might help the situation. Councillor Poirier inquired if any of the public has had an opportunity to see on paper what he had presented. Mrs. Fournier advised that she had briefly saw the development agreement as she came in.

Councillor Poirier felt that the residents have lost faith in Mr. Conrad's ability to obey the rules of being in business.



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

"THAT Council reject the change from one category to another category."

Councillor Eisenhauer stated that there are two basic reasons for his seconding the rejection. Firstly, going back to the original amendment, Councillor Eisenhauer felt that Council has permitted the use of an autobody repair shop. He went on to say that this agreement is allowing an autobody repair shop not a trucking business so the intent is different. Secondly, Councillor Eisenhauer expressed concern with regard to the growth of trees and grass being prevented because of the presense of salt. Councillor Eisenhauer also stated that the salt causes a problem with surrounding wells.

Councillor Mont, in his opinion, felt that the residents may get better protection if this motion is allowed and the subsequent motion to enter into a development agreement is passed because many of the concerns raised will be dealt with.

Councillor McInroy inquired if he was correct in his understanding that the business enterprise, that is currently approved for that site, is an autobody repair but, in fact, there is existing now another operation other than that. Mr. Hanusiak advised that the Planning Department have been led to believe that there has been movement of trucks back and forth on the Conrad property for a considerable amount of time.

Councillor Gaetz indicated that this whole situation is a puzzle and he assured that he will insist, if another time such a situation arises, that the Planning Advisory Committee go and see for ourselves just what the conditions are and how we feel it could be resolved. Councillor Gaetz indicated that he has gone along with it because he does not feel like putting any person out of business and, therefore, has agreed in PAC to give him a chance.

Motion Defeated.

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

"THAT the Staff Report be accepted and a by-law to amend the zoning by-law for Timberlea/Lakeside/Beechville as presented be adopted."

Motion Carried.

#### STAFF REPORT FOR APPLICATION NO: DA-TLB-1-85-02

Mr. Hanusiak indicated that Council has a copy of the proposed agreement which had been submitted to the Planning Advisory Committee as of yesterday. Mr. Hanusiak stated that in order to avoid any confusion, as he makes his remarks, he does not want to construe that he is either supporting or speaking against this application. He further noted that he is going in response to the Planning Advisory's recommendations and instructions to first prepare the amendment and in turn prepare a development agreement.

Mr. Hanusiak presented the staff report for the proposed Development Agreement between the Municipality of the County of Halifax and Charles T. Conrad of Timberlea. He advised that the purpose of the agreement is to allow for an expansion to Conrad's Auto Repair Shop, located at 2999 St. Margaret's Bay Road, Timberlea.

Mr. Hanusiak stated that should this expansion take place, the Planning Department is advising that it take place in the manner that is presented in this Development Agreement.

Mr. Hanusiak outlined the Staff Report and indicated that the use of the Property and Building shall be restricted to, in addition to the land use activities identified in Section 6.1, PART 6 of the ZONING BY-LAW FOR TIMBERLEA/LAKESIDE/BEECHVILLE, the storage and maintenance of motor vehicles owned, leased or under contract to or by the Developer, and the activities customarily associated with an automotive repair outlet, including paint and body repair and the retailing of automobile parts, but shall not for the purpose of this Agreement include the salvage of any derelict or abandoned motor vehicles.

With respect to the expansion, Mr. Hanusiak advised that it is the Developer's desire to expand the building out towards the rear property in line of the property. It was stated that the land that lies behind, being Lot G4A, also belongs to the Developer or the Applicant. It was further noted that Staff is recommending, if the Development is to occur, that there be no further expansion into the side yard that exists now. As a point of reference, Mr. Hanusiak stated that a mobile home is located adjacent to the property.

Section (5) of the agreement indicates that no outdoor storage or display of any materials, equipment or motor vehicles held for repair, but for which repairs have yet to be completed, shall be permitted in any yard. Mr. Hanusiak further noted that, if it is the Applicant's desire to store vehicles that are being held for repair in the open air, Staff is recommending that they be permitted to be stored along the western side yard provided that a fence or other visual barrier, the type and design of which has been approved by the Development Officer for the Municipality, has been installed along the western lot line.

One of the main objectives, as stated by Mr. Hanusiak, if this agreement goes through is to try to isolate the Applicant's auto business and trucking business on this particular property.

Mr. Hanusiak also made reference to the driveway and fence to be constructed, the property to be free of refuse and debris, sign requirements, future enlargement of property, and implementation, as outlined in the Agreement.

#### QUESTIONS FROM COUNCIL

Councillor Larsen inquired if Staff knew that salt was being stored on the property when the agreement was drafted. Mr. Hanusiak advised that it is their understanding that salt has not been stored on the property in bins or on the ground but to a certain degree on the back of the Applicant's trucks. Mr. Hanusiak agreed that Section 5 of the Agreement discounts the possibility of salt storage in bulk quantities.

Councillor Eisenhauer again raised concern with respect to salt contaminating the wells. Mr. Hanusiak stated that the possibility of contamination of the wells is something that is difficult to control in this agreement. He went on to say that the main intent of the Agreement is to control the use of that land and to provide a reasonable degree of protection.

SPEAKERS IN FAVOUR OF APPLICATION NO: DA-TLB-1-85-02

Mr. Charles Conrad, Timberlea, indicated his desire to speak in favour of the application.

Mr. Conrad made reference to a number of comments made by earlier speakers.

QUESTIONS FROM COUNCIL

Councillor Larsen expressed concern with regard to salt pollution. He inquired if very much spillage occurs when the trucks are being parked on the lot. Mr. Conrad indicated that he is very much aware of what can happen if too much salt is left lying around. He stated that a pile of salt, or what appeared to be a pile of sand containing salt, was left accidentally on his property but he did his best to clean it up. Mr. Conrad went on to say that they have done their best to keep the salt, that they wanted to store on the property, inside a building to prevent rain getting on it. He indicated that there is occasionally salt dust on the side of the trucks but not more so than there would be on anybody's car. Mr. Conrad also pointed out that the reason they have to keep salt on the property, is not for the work they have to do for the City of Halifax, but for the work that they do privately for other people in salting their parking lots. He further stated that this is the reason why it is necessary for them to store salt on the property.

Mr. Hanusiak confirmed that there would be no outdoor storage of salt but the possibility of storing salt or other contaminants indoors is available. He indicated that the reason this is not in the Agreement, is due to the fact that that type of thing comes under the National Building Code.

SPEAKERS IN OPPOSITION TO APPLICATION NO: DA-TLB-1-85-02

Mr. George Brown, 3008 Bay Road, indicated his desire to speak in opposition to the proposed Development Agreement.

Mr. Brown indicated that his main concern was with regard to salt contamination of the wells. He inquired if Mr. Conrad would be responsible for any damages occurring to the residents' wells and salt contamination. Mr. Brown also expressed concern with regard to traffic.

Mrs. Fournier also spoke in opposition to the proposed Development Agreement.



Mrs. Fournier inquired what is the size of the lot. If you cannot guarantee that he will subdivide what are you allowing him to expand on. Mr. Hanusiak advised that the property itself is approximately 10,000 sq. ft. in size. Mrs. Fournier questioned if this was not under half the size required for a single family home as indicated on Page 17 in the Zoning By-laws (4.9) statement A. Mrs. Fournier suggested maybe there should be a Public Hearing out in their community. Mr. Hanusiak advised that the Planning Department had originally hoped to put the driveway on the Western side of the property adjacent to the apartment building. He went on to say that they discovered that there was no ability to put the driveway there because of the existence of the septic system and well. As an alternative, Mr. Hanusiak stated, the Planning Advisory Committee instructed Staff to provide the provision for the driveway on the other side. With regard to the zoning by-law, Mr. Hanusiak indicated that when they enter into a development agreement, although they would like to adhere to the provisions of that zoning by-law, there is no requirement to do so.

#### QUESTIONS FROM COUNCIL

Councillor Eisenhower indicated that perhaps the provision for the protection of Mr. Brown's well should be in the Agreement.

Mr. Cragg, with regard to wells, felt that the Municipality has no position, legislatively or equitably, to afford any protection in instances such as this (salt contamination of wells).

A number of Council members expressed the concern that a ten (10) foot driveway is not very much space when dealing with heavy duty trucks travelling the driveway on a frequent basis.

Mrs. Fournier inquired, if she was correct in her understanding, that there would be no clearance for trucks even though they are going by someones bedroom in the middle of the night and where a child is sleeping. Mr. Hanusiak, in response to Mrs. Fournier, stated that he does not want to convey any thought that he is advocating this but that he is acting on instruction. He further noted that the Planning Advisory Committee instructed them to put the fence in right on the property line. He went on to say that if a driveway is going to go in there, which the agreement dictates that it be there, so to will that six (6) foot high fence be there.

Mrs. Fournier stated that she was very surprised in January to see this notice come up. She went on to say that she did not realize that there was planning expansion.

Councillor Poirier inquired if anybody has been out to the property. Mr. Hanusiak advised that he has been out to the property and recommended that the driveway be put on the other side of the property on the Western boundary as opposed to the Eastern boundary. Mr. Hanusiak stated that he did not know, at this point in time, if it is possible for Staff to manage a driveway on the Western side or the opposite side of the property and still have it in there with the septic system.

Councillor Wiseman related an incident in support of what Mrs. Fournier is saying with regard to the ten (10) foot driveway. She advised that they had had a delivery of wood to their house last fall and they have a ten (10) foot driveway. Councillor Wiseman advised that the truck in backing up tore the shingles of the side of the house and then could not unload the truck because they could not get the back of it up.

Councillor McInroy inquired if Mr. Hanusiak had personally examined in detail the site that is subject to this agreement or was he using plans, file information, etc. Mr. Hanusiak advised that he had examined the site with another member of the Planning Department last Thursday.

It was by Councillor Poirier, seconded by Deputy Warden Walker:

"THAT this item be deferred to the next session of Council which in the meantime Council could address the questions that are of concern."

It was agreed that the concern with respect to clarification on the right-of-way of the driveway would be addressed before a decision is made.

Motion Carried.

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

"THAT Staff come back, at the time that this matter is to be debated again, with a report addressing the concerns that were raised by members of the public and members of Council."

Councillor Eisenhower expressed concern with regard to the fence to be constructed on the Conrad Property. He stated that there is no agreement to maintain the fence after it is constructed.

Motion Carried.

#### PLANNING ADVISORY COMMITTEE REPORT

##### Land Use By-Law Amendments - All Plan Areas

The Planning Advisory Committee recommended that the following rezoning amendments be recommended to Council for approval and the setting of a public hearing. (A suggested date for the public hearing is March 25, 1985 at 7:00 p.m.):

1. Rezoning Application No. RA-SA-57-84-16.
2. Rezoning Application No. RA-SA-60-84-19.
3. Rezoning Application No. RA-SA-61-84-16.
4. Rezoning Application No. RA-SA-62-84-20.
5. Rezoning Application No. RA-CH/W-63-84-21.
6. Rezoning Application No. RA-CH/W-66-84-7.

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

"THAT the six items of rezoning applications and a public hearing date set for March 25, 1985 at 7:00 p.m. be approved."  
Motion Carried.

The Planning Advisory Committee also recommended that the following rezoning amendments be approved and a public hearing be called on April 30, 1985 at 7:00 p.m. to consider the following rezoning applications:

1. Rezoning Application No. RA-EP/CB-64-84-06.
2. Rezoning Application No. RA-LM-67-84-08.
3. Rezoning Application No. RA-T/L/B-68-84-02.

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

"THAT the above three rezoning amendments be approved and a public hearing be called on April 30, 1985 at 7:00 p.m."  
Motion Carried.

#### EXECUTIVE COMMITTEE REPORT

##### Dental Plan

Mr. Kelly read the report indicating that the Executive Committee recommends approval for a dental insurance plan to be administered by Blue Cross of Atlantic Canada as an extension to the County Medical Plan, effective February 1, 1985.

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

"THAT Council approve acceptance of a dental insurance plan to be administered by Blue Cross of Atlantic Canada, effective February 1, 1985."  
Motion Carried.

##### Salary Increase, County Non-union Personnel

Mr. Kelly read the report respecting a salary increase for all County Non-union personnel for 1985.

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

"THAT Council approve a salary increase for all County Non-union personnel in the amount of 4% for 1985."  
Motion Carried.

##### Conveyance, Meadowland Development Company Limited

Mr. Kelly read the report and indicated that the Executive Committee recommends approval that the Municipality convey to Meadowland Development Company Limited that portion of Lot 22A for consideration of a services easement.



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

"THAT the Municipality convey to Meadowland Development Company Limited that portion of Lot 22A for consideration of a services easement."

Motion Carried.

Community School Program

This item was addressed earlier in the evening by Mr. Gordon Michael.

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

"THAT two members of Council attend the workshop respecting community schools to be held in Flint, Michigan, March 24-31, 1985."

Motion Carried.

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

"THAT Councillor Wiseman be nominated to attend this workshop."

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

"THAT Councillor Deveaux be nominated to attend the workshop respecting community schools."

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

"THAT Councillor DeRoche be nominated to attend the workshop respecting community schools."

Councillor MacKay suggested that maybe a circular could come from the Warden's office of interested members of Council wanting to attend this workshop and the names brought back to Council for decision.

It was agreed that Mr. Michael would be advised that there will be two members of Council chosen to attend this workshop.

Mr. Meech indicated that Mr. Markesino intends to attend this workshop.

Designation Agreement, Nova Scotia Department of Housing

Mr. Kelly indicated that the Executive Committee received from the Department of Housing a designation agreement for construction of 15 senior citizens units in Timberlea.

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

"THAT Council approve the designation agreement between the Municipality and the Department of Housing and further that the Municipal Clerk and the Warden be authorized to execute the agreement."

Motion Carried.

Appointment of Weed Inspector

Mr. Kelly advised the Executive Committee that a letter of resignation was received from Alun Jones, County Weed Inspector. He further advised that correspondence was received from Mr. J. P. Thompson, Department of Agriculture, Truro including a recommendation for the position of Weed Inspector.

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

"THAT Mr. Roy De Wolfe, Lake Egmont, Halifax County be appointed as Weed Inspector for the Municipality for 1985."  
Motion Carried.

Forestry Protection

It was stated that the further examination of the report with regard to the Royal Commission on Forestry in Nova Scotia was necessary prior to implementation of recommendations contained in the report.

The Executive Committee proposes, as stated in the report, to establish a sub-committee of the Executive Committee for the purpose of examining the implications of the regulations and recommendations outlined in the report of the Royal Commission.

It was agreed that formation of this committee would not be restricted to Executive Committee members only but to the whole of Council.

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

"THAT the Executive Committee establish a sub-committee for the purpose of examining the implications of the regulations and recommendations outlined in the report of the Royal Commission."  
Motion Carried.

Request for District Capital Grant, District 16

Mr. Kelly indicated that the Executive Committee received a request for a District Capital Grant, District 16, in the amount of \$2,000 toward the purchase of gymnastic equipment for Taiso Gymnastic Club.

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

"THAT a District Capital Grant, District 16 in the amount of \$2,000 for the Taiso Gymnastic Club be approved."  
Motion Carried.

Request for District Capital Grant, District 16

Mr. Kelly advised that the Executive Committee received a request for a District Capital Grant, District 16 in the amount of \$3,000 for land improvements, Acadia Recreation.