

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

"THAT approval be given to a lesser side yard clearance of 20 feet to place a garage in a suitable position on lands owned by Richard Bowness located at 114 Dempster Crescent, Lake Echo."  
Motion Carried.

#### EXECUTIVE COMMITTEE REPORT

##### REQUEST FOR DISTRICT CAPITAL GRANTS

The Executive Committee recommended for approval a District Capital Grant, District 7, 17, and 21 in the amount of \$299 each for the Westphal/Cole Harbour Fire Department.

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

"THAT the request for a District Capital Grant, Districts 7, 17 and 21, in the amount of \$299 each for the purpose of the Westphal/Cole Harbour Fire Department be approved."  
Motion Carried.

##### REQUEST FOR DISTRICT CAPITAL GRANT - DISTRICT 19

The Executive Committee recommended for approval a District Capital Grant, District 19, in the amount of \$500 for repairs to a walkway, Briarwood Court.

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

"THAT the request for a District Capital Grant, District 19, in the amount of \$500 for repairs to a walkway, Briarwood Court, be approved."  
Motion Carried.

##### REQUEST FOR DISTRICT CAPITAL GRANT - DISTRICTS 17 and 21

The Executive Committee recommended for approval a District Capital Grant, Districts 17 and 21, in the amount of \$642.12 each for the Cole Harbour Heritage Farm Museum for the purchase of 50 stacking chairs.

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

"THAT the request for a District Capital Grant, Districts 17 and 21, in the amount of \$642.12 each for the Cole Harbour Heritage Farm Museum for the purchase of 50 stacking chairs be approved."  
Motion Carried.

##### REQUEST FOR DISTRICT CAPITAL GRANT - DISTRICT 10

The Executive Committee recommended for approval a District Capital Grant in the amount of \$1,200 for the Ostrea Lake - Pleasant Point Volunteer Fire Department for the purpose of capital improvements to the fire truck and fire hall.

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

"THAT the request for a District Capital Grant, District 10, in the amount of \$1,200 for the Ostrea Lake - Pleasant Point Volunteer Fire Department for the purpose of capital improvements to the fire truck and fire hall."

Motion Carried.

#### REQUEST FOR FUNDS - NOVA SCOTIA HOUSING COMMISSION FUNDS

The Executive Committee recommended to Council for approval an allocation of funds in the amount of \$10,000 from the Nova Scotia Housing Commission funds for the purpose of carrying out improvements to the Caudle Park Elementary School Playground.

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

"THAT the request for funds in the amount of \$10,000 from the Nova Scotia Housing Commission funds for the purpose of carrying out improvements to the Caudle Park Elementary School Playground be approved."

Motion Carried.

#### ATLANTIC PROVINCES ECONOMIC COUNCIL - ANNUAL CONFERENCE

The Executive Committee recommended to Council that the following members of the Forestry Protection Committee attend the Atlantic Provinces Economic Council Conference to be held on September 18th and 19th at the Lord Beaverbrook Hotel in Fredericton, New Brunswick: Councillor Bayers, Councillor Reid and Murray Prest.

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

"THAT the Councillor Bayers, Councillor Reid and Mr. Murray Prest of the Forestry Protection Committee be authorized to attend the Atlantic Provinces Economic Council Conference on September 18th and 19th in Fredericton, N.B."

Motion Carried.

#### ADVISORY COUNCIL ON THE STATUS OF WOMEN

The Executive Committee recommended that Council encourage our voting delegates at the U.N.S.M. Conference to support any resolution from the U.N.S.M. requesting the provincial government to enact legislation to control the proliferation of pornographic materials in Nova Scotia.

In this regard, Warden MacKenzie requested that the delegates appointed to attend the U.N.S.M. Conference sit down and discuss the resolutions which were submitted to the U.N.S.M. prior to the Conference.

#### RESOLUTION FROM THE DEPARTMENT OF TRANSPORTATION RE SIDEWALK CONSTRUCTION AGREEMENT 1-G - EASTERN PASSAGE/COLE HARBOUR

Mr. Kelly advised Council that he was in receipt of a resolution from the Department of Transportaton requiring approval for Sidewalk

Construction Agreement 1-G to provide sidewalks on Astral Drive and Caldwell Road.

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

"THAT Sidewalk Construction Agreement 1-G, Eastern Passage/Cole Harbour, be approved."  
Motion Carried.

RESOLUTION FROM THE DEPARTMENT OF TRANSPORTATION RE SIDEWALK CONSTRUCTION AGREEMENT 1-F - FALL RIVER ROAD

Mr. Kelly advised that he was in receipt of a resolution from the Department of Transportation requiring approval for the construction of concrete curbs and sidewalks on the Fall River Road.

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

"THAT Sidewalk Construction Agreement 1-F, Fall River Road, be approved."  
Motion Carried.

REPORT - FORESTRY PROTECTION COMMITTEE

Councillor Reid indicated that it was the intent of the Forest Protection Committee to hold public hearings in the areas concerned and it is their hope that the forest industry will make recommendations at that point in time.

It was moved by Councillor Reid, seconded by Deputy Warde Walker:

"THAT the recommendations of the Forestry Protection Committee be adopted."  
Motion Carried.

Councillor Margeson expressed his thanks to the Committee for their work and efforts in putting this report together.

METROPOLITAN AUTHORITY REPORT - COUNCILLOR MONT

Councillor Mont advised that the union at the Correction Centre have taken a strike vote and they can legally walk off the job Thursday night.

He further advised that the Metropolitan Authority has called a special meeting for Thursday morning to discuss this matter.

PROSPECT ROAD - COUNCILLOR GAUDET

Councillor Gaudet requested that a letter be written to the Department of Transportation with a copy to the Minister of Tourism and the area M.L.A. requesting that they look at adding two additional traffic

lanes commencing at the beginning of the Prospect Road as far as Goodwood. He felt that a four lane highway would alleviate traffic at peak hours, during the tourist season and during functions at the Atlantic Winter Fair site.

Councillor Gaudet also suggested that this letter request that a study be conducted with respect to signage at the Prospect Road area leading to the Bicentennial Highway Overpass. It was the feeling of Councillor Gaudet that this intersection is a death trap.

It was pointed out that improvements at this intersection would also benefit Districts 1, 2 and 3.

Councillor DeRoche respectfully requested an amendment to the phrasing which would achieve the purpose of the motion without directing certain improvements which the Department might not consider as being appropriate and thus reject the request.

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

"THAT the County of Halifax write to the Department of Transportation with a copy to go to the Department of Tourism and the Hon. G. Lawrence, M.L.A., requesting the Department to begin work immediately on constructing two additional lanes from the beginning of the Prospect Road to Goodwood and that a study be conducted on signage and traffic at the interchange area leading to the Bicentennial Highway Overpass."  
Motion Carried.

Councillor DeRoche was not in favour of this motion.

#### CP - DIRECT FLIGHT TO AMSTERDAM - COUNCILLOR MACKAY

Councillor MacKay indicated that this matter has been resolved.

#### PARKING, COUNCILLOR MARGESON

Councillor Margeson stated that since the County will commence working on the 1986 budget in October it was his suggestion that a study be conducted regarding parking at the County Building and related sub-offices. He felt by charging a monthly fee for parking we could increase our revenue significantly.

Councillor MacKay advised that he would have to vote against a motion that would recommend charging a fee for parking. He felt that the provision of parking for employees represented one of the incentives we offer our staff. He felt that we would be doing an injustice to our staff if we were to implement a monthly rate for the privilege of parking.

Councillor Lichter indicated that he would vote against such a motion as he would not want to see employees pay for parking.

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

"THAT the Executive Committee be requested to conduct a study on the matter of instituting a fee for parking at the Municipal Building and satellite offices."  
Motion Defeated.

Those in favour were: Councillors Baker, Gaudet and Margeson.

#### UNSIGHTLY PREMISES - COUNCILLOR SNOW

Councillor Snow requested that this item be deferred pending further information.

#### UNION OF NOVA SCOTIA MUNICIPALITIES ANNUAL CONFERENCE - DELEGATES

Warden MacKenzie indicated that since Councillor Lichter was unable to attend the U.N.S.M. Conference as a non-voting delegate and he had selected Deputy Warden Walker.

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

"THAT Deputy Warden Walker be appointed as an alternative to the U.N.S.M. Annual Conference."  
Motion Carried.

#### COUNCILLOR LARSEN - OPENING - MONUMENT TO FISHERMEN OF NOVA SCOTIA

Councillor Larsen advised that on Wednesday, September 14 he had the opportunity to attend the opening of the smallest Provincial Park in Nova Scotia. This was the development of the viewing area associated with the monument to the fishermen of Nova Scotia which was done by the late William deGarthe at Peggy's Cove.

Councillor Larsen stated that this was a fine project and a splendid facility that has been constructed. He felt that a letter of congratulations should be forwarded to the Hon. K. Streach and Hon. J. Lawrence expressing our congratulations on the facility.

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

"THAT a letter be forwarded to the Hon. K. Streach and Hon. G. Lawrence expressing congratulations on the viewing area associated with the monument to the fishermen of Nova Scotia at Peggy's Cove."  
Motion Carried.

#### ARTICLE RE ANNEXATION OF COLE HARBOUR TO THE CITY OF DARTMOUTH

Councillor Gaetz advised that when he read the article in the paper containing comments made by Hon. David Nantes with respect to annexation of Cole Harbour to the City of Dartmouth, he felt highly insulted and felt that it was an insult to the integrity of County Council.

Councillor Gaetz reflected on previous annexations and incorporations and stated that we attempt to provide the requested services and facilities and then we lose it all when annexation/incorporation takes place.

He felt that it was time for County Council to speak out and the reason he raised this issue tonight was to determine how the other Councillors feel.

Deputy Warden Walker felt that it was pointless at this point in time to discuss the issue. He felt that Mr. Nantes had made these remarks off-the-cuff.

Councillor Snow stated that he felt the Minister has a right to his opinion and as a resident of the County he can express it at any time he sees fit. He stated that the decision to annex will be made based on the wish of the people and at this point we can be concerned, however any resident has the right to express his opinion.

Councillor Baker referred to the annexation of the Spryfield area. He indicated that at the time Spryfield was annexed he went on the radio along with Edmund Morris and opposed it. He further stated that although he wanted a plebescite, it was not allowed and the requisite number of signatures to effect annexation was only 50 which is fairly easy to obtain when there are a good many thousand people involved.

He indicated that he supported Councillor Gaetz and felt that something should be done. He felt there should be a resolution of Council put forward which would allow annexation or incorporation to take place only through a plebescite and not just 50 signatures as is the case at the present time.

Councillor Mont stated that the Councillors for the area have not had an opportunity yet to discuss this matter even among themselves. The comments put forth by Mr. Nantes were the comments of one citizen, perhaps a more prominent citizen than some, but they do represent only one viewpoint. He stated that he is sure that from time to time Mr. Nantes has been frustrated about things that have gone on in the County, the same as Councillors have been frustrated about things in their particular district from time to time. However it was his opinion that we should not overreact at this point in time to one expression of opinion. He felt that it would take many more expressions of opinion before there will be any move towards annexation in Cole Harbour.

Councillor Mont felt that, as a Council, we should be taking the opportunity to emphasize in Cole Harbour and in all the Districts the positive things that are going on and that are being done by Council. He felt that we would be unable to stop anything from occurring by being negative about it. If it becomes evident that it is in the best interest and represents the wishes of the people of Cole Harbour that there be annexation, incorporation or any other form of government then he felt that all Councillors would support the wishes of the people provided that it was to the benefit of the people. However, Councillor

Mont stated that he was not aware of any studies that have been carried out spelling out the pros and cons, so he felt it was a bit premature perhaps to get too involved other than he thought we all have a responsibility in the County to put our best foot forward and let the citizens know what we are doing in the area and maintain a visible presence. He stated that perhaps we do not always do that to the best of our ability.

Councillor Bayers advised that he read the paper with some concern and he referred to Councillor Mont's statement that we shouldn't overreact to anything that an individual or a prominent individual says, however he felt that Mr. Nantes has overreacted somewhat on a decision that was made by this Council at the last public hearing and he made reference to that in the newspaper at the time the annexation issue came out. Mr. Nantes called Cole Harbour a sophisticated community. It was Councillor Bayers' opinion that Cole Harbour is a bedroom community - they do not have hospitals, they do not have their own post office, however they do have their own police protection which they are not happy with.

Councillor Bayers stated that he personally felt that Mr. Nantes was cutting the County Councillors in the areas concerned. He further stated that he wished Mr. Nantes would give him a call so that he could put forth his own personal views on the situation, however he felt that Mr. Nantes was more concerned with the 20,000 votes that may be in Cole Harbour for his own political career.

Councillor Lichter stated that Councillor Gaetz has asked the Councillors to express their feelings on this subject and he did not wish to let him down. He further stated that he felt that all of us had mixed feelings about the comments that were made and the one part that he personally took seriously was the statement that there is no plan in place for that particular area. He suggested that by motion the Council forward to the Hon. D. Nantes a copy of the Cole Harbour plan and indicate to him that this is a plan that was created by the people.

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

"THAT a copy of the Cole Harbour Plan be forwarded to Mr. Nantes with the indication that this was a Plan created by the people."  
(Motion Withdrawn).

Warden MacKenzie indicated that he was rather upset when he arrived in the office on Monday morning and heard about the article for the first time from Mr. Meech. He attempted to locate the Saturday paper only to find that our papers had not been delivered, however eventually a copy was located.

He stated that in the meantime he received a phone call from the Dartmouth Bureau and discussed the story with the reporter for some time and made a great number of comments which he felt almost certain

would appear in this afternoon's paper. However, the only story printed on the subject by this reporter was one referring to the Mayor of Dartmouth and his comments that the City of Dartmouth was prepared to listen to the community of Cole Harbour annexing with the City of Dartmouth. No reference was made to any of the comments from Halifax County and the reporter was contacted in this regard.

Warden MacKenzie then referred to a private session held by the Councillors and the Department Heads back in January and stated a number of things took place at that time. One item unanimously agreed upon was that every effort be made by our Council and the Administration to keep the Municipality of the County of Halifax as a single unit and that if attempts were made to annex or incorporate, Council and staff should make every effort to show the effects on the rest of the County.

He further indicated that if there has to be any annexations he felt that the provincial people should be looking at the total area of Halifax, Dartmouth and the metropolitan area as one municipal unit and not 3 or 4. He felt that with a population of about 300,000 it would not be out of line to look at this metro area as one municipal unit.

As a member of Council, he pointed out that if they are really serious about dealing with the situation, that rather than eroding the boundaries of our Municipality, he would be prepared to have a look at combining metro into one municipal unit.

Warden MacKenzie further pointed out that he has not had any correspondence from David Nantes nor anyone else with respect to concerns about the annexation or any problems facing Cole Harbour. He stated that he felt that we have provided good service with improvements over the years and we all know the problems facing the area and we can deal with them.

He stated that when Mr. Nantes referred to four Councillors he must have been looking at Eastern Passage, Cole Harbour and Westphal. He felt this is more disturbing since they are looking at a large industrial or commercial area of Halifax County located in Eastern Passage.

Warden MacKenzie indicated his desire to sit down with the Councillors for the areas concerned and discuss this matter.

Councillor DeRoche stated that it was not initially his intention to speak on the matter tonight however he wished to speak against forwarding a copy of the plan to Mr. Nantes since he is sure that Mr. Nantes is well aware of the Committee's involvement, discussion, deliberations and recommendations.

Councillor DeRoche felt that this is a situation of fanning the flames of irritation and setting up a situation for confrontation which is completely unnecessary. He felt sure that if Mr. Nantes doesn't already have a copy of the plan he has ready access to one at any time.



Councillor DeRoche also questioned whether Saturday's article was an inaccurate portrayal of Mr. Nantes' quotes and what he in fact said. He stated that it is not inconceivable that he may have been misquoted or that something got lost in the translation between the reporter's submission and the printing.

Councillor DeRoche stated that he tried not to react to this particular situation too hastily and he presumed that he and his three colleagues would have an opportunity to get together with Mr. Nantes and discuss the subject to determine his intent and whether or not he is sincere and serious in his pursuit of annexation. If that is determined to be the case, then as a group it should be decided, on behalf of the people represented, what action is appropriate and when it is appropriate to take it.

In summary, Councillor DeRoche did not think it appropriate to adopt a resolution to forward to Mr. Nantes a copy of the plan for the Cole Harbour area.

Councillor Deveaux indicated that it had not been his intention to speak but due to the motion on the floor he had a few comments to make.

Councillor Deveaux felt that Mr. Nantes, as an M.L.A., is capable of becoming frustrated at times and, without making excuses, he felt that this is what brought about the comment. He stated that he has not spoken to Mr. Nantes since the printing of the article and he agreed with Councillor DeRoche that we are not going to get anywhere by making more hay out of the issue at this time. Therefore, he stated that he would be voting against the motion.

Councillor Deveaux referred to Warden MacKenzie's comments re bringing all of metro under one government and stated that this recommendation was brought forward in the early 70s by the Graham Commission Report.

Councillor Margeson stated that Mr. Nantes is a young, energetic and intelligent minister and he felt that we should defeat the motion on the floor and deal with any issues by correspondence or by extending an invitation to Mr. Nantes to attend our Council sessions.

Councillor Margeson indicated that he was pleased that every Council member used good decorum and did not downgrade the Minister because he is not present to defend himself.

Councillor Margeson then questioned as to the status of a recent request by Council that a letter be forwarded to the Minister of Municipal Affairs asking him to establish a moratorium.

Mr. Kelly advised that a letter is presently on tape with respect to this request and will be going in the mail shortly.

Councillor Poirier stated that the Municipality was the scapegoat for the Atlantic Health Unit regulations as they relate to the disposal of raw sewage and she felt that the sooner it be known to the Mayors and the Councils that if they are going to grab the piece of land that the same standards and regulations are going to apply to them that applies

to us. She felt that maybe then they would not be so anxious to grab the land.

Warden MacKenzie pointed out that the amount of money the Municipality has committed to installing treatment plants to provide the type of service required could provide an awful lot within some of our districts. He felt that other municipal units are not faced with the high costs of treatment plants as we are and therefore they can use their dollars for the provision of other services.

Councillor McInroy stated that the suggestion of annexation of Cole Harbour to the City of Dartmouth is obviously a serious suggestion because of its impact on Halifax County and the community of Cole Harbour. It is regrettable that the community and the County have not been consulted in any way shape or form on this matter.

Councillor McInroy referred to the future of the community of Cole Harbour and the pride and tradition in the community. He felt that it was of utmost importance that the community decide its own future direction. He indicated that he did not think there is much point, without some groundswell and this isn't evident at the moment, in pursuing the matter any further.

Councillor Lichter pointed out that the motion was not made in jest and that he did feel insulted at the comments printed in the newspaper article.

He referred to Councillor Margeson's comments that he is happy that no nasty comments were made in the absence of Mr. Nantes and stated that he felt that a nasty comment was made. Councillor Lichter went on to say that when the statement is made that the Councillors of the area are doing the best with what they have to work with, this could easily refer to the rest of the Council. He stated that he did not wish to sit here and be insulted by both the Minister and the Council, if the motion does not go through, he would rather withdraw the motion.

Councillor Margeson stated that perhaps Councillor Lichter misread what he had said. He clarified his comments and stated that he felt we should have someone attend council and discuss the situation rather than having the Council rely on a newspaper article. He pointed out that we are here to do our business for the taxpayers of the Municipality and to look after their interests to the best of our knowledge and if something comes in to us in correspondence or the person is present and makes a request for a change then we should deal with it. But to respond to something in a newspaper article such as this is not Council's function as far as he was concerned.

Councillor Wiseman briefly stated that she would have to vote in opposition to the motion because she did not feel that any good purpose would be served by sending the Minister of copy of the development plan. She stated that she agreed with the others who have said that Mr. Nantes is well aware of the fact that there is a plan in place in the community, however that does not preclude the need for this Council to talk openly with Mr. Nantes to find out just exactly what he perceives are some of the problems not being addressed in Halifax

County. She suggested that any of the problems mentioned in the article are problems that would not be served to any better extent by annexation with another municipal unit.

She further stated that there are problems that we need to solve and that we need to discuss with the individual that was quoted and certainly nothing should be brushed beneath the carpets.

Councillor MacKay stated that having served for nearly six years as an urban Councillor, he recognized that there are some facts that our Council is unable to deal with and that is not taking away any strength from our Council. He stated that on many occasions in the community of Sackville he has spouted the accomplishments our Council has made.

He pointed out that we started with the development of the Urban Services Study and he felt that it had a lot of foresight and tried to address the problems that existed as were perceived by the Councillors of the day and the residents of the areas affected. He stated that the response was good and a great deal has been accomplished, however there are still some frustrations that rest in the minds of residents and these we may or may not be able to address in the near future.

Councillor MacKay stated that perhaps this all came about as a result of Mr. Nantes being in difference with an opinion rendered by our Council by a planning decision with respect to the intersection on a street on the Cole Harbour Road. The difference was the access onto a residential street and we don't have the ability to control that because it falls under the jurisdiction of the Provincial Department of Transportation.

Councillor MacKay indicated that many of his frustrations as an urban Councillor have been as a result of the Department of Transportation and some of these are: parking on a residential street and non-truck routes.

Councillor MacKay pointed out one thing that he is very emphatic about and that is when the decision is being made to annex or incorporate that our Council ensure all the facts and figures are made available to the best of the ability of the community, the Council and the Department of Municipal Affairs which are necessary to determine what the impact would be today and tomorrow on the affected municipal units and then a plebescite or referendum be held so that everyone in the affected unit would have the ability to say yes or no.

He further stated that he was sure Mr. Nantes was aware of the fact that there is a municipal plan. Councillor MacKay went on to say that he was sure that no matter what the municipal unit there would still be problems with planning as it seems to be the key issue in everything involved.

He felt that this issue fanned the flames for the Town of Bedford and strongly suggested that if we had a major issue arise in the community of Sackville, the little spark that is there would soon be a bonfire.

With respect to the motion on the floor, Councillor MacKay felt that there might be other methods that we might use to accomplish better means as Mr. Nantes might take it in the wrong vein.

Councillor Lichter pointed out that if we move beyond the present boundaries and if those areas are annexed the effect this will have is that residents will start moving beyond those boundaries and then we will be faced with the provincial government requesting services such as school construction, additional bus routes and provision of water and sewer services. He stated that no one gains and this is affecting all of the citizens of Nova Scotia because the dollars have to come from somewhere and in a lot of cases they come from the provincial government.

Councillor Lichter stated that after hearing the various comments of Councillors he was prepared to withdraw the motion.

Councillor Gaetz, as the seconder to the motion, agreed to withdraw the motion.

#### ADDITION OF ITEMS TO THE SEPTEMBER 3, 1985 COUNCIL SESSION

Councillor Larsen requested that the following items be added to the September 3, 1985 Council Agenda:

- a) Report - Adhoc Committee on Education
- b) Status Report - District 3 Senior Citizens Housing Project

#### ADJOURNMENT

There being no further business, the meeting adjourned.

PUBLIC HEARING

AUGUST 26, 1985

PRESENT WERE: Warden MacKenzie, Chairman  
Deputy Warden Walker  
Councillor Poirier  
Councillor Larsen  
Councillor Baker  
Councillor DeRoche  
Councillor Adams  
Councillor Gaetz  
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. R. Cragg, Municipal Solicitor  
Mr. M. Hanusiak, 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.

ROLL CALL

Mr. Kelly called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

APPLICATION NUMBER RA-24-28-85-04

Mr. Hanusiak advised that the application is a rezoning request by Vemco Limited to amend Appendix C of the Municipality's Zoning By-Law No. 24 by rezoning lands now or formerly of Stephen Edmonds located at 3901 Prospect Road at Shad Bay from G (General Building) Zone to I-1 (General Industrial) Zone.

The Company, which specializes in the design and manufacturing of underwater telemetry equipment, is seeking the rezoning in order to relocate its existing operation to the property in question.

Mr. Hanusiak pointed out that, when this application first came before Council, Council was dealing with a new industrial zone for By-Law No. 24 (I-3, Light Industrial Zone). The public hearing on that particular amendment was held on July 22, 1985. The amendment was approved and has gone through the appeal period and is now in the books under By-Law No. 24.

Mr. Hanusiak indicated that Staff would like to consider this particular zone for I-3 (Light Industrial). It was brought forward to Council under the I-1 zone simply because of the fact that the I-3 did not exist at the time.

Mr. Hanusiak circulated photographs of the property and gave a lot description as outlined in the Staff Report. Mr. Hanusiak made reference to the analysis as outlined in the Staff Report stating the reasons why Staff are recommending approval for the proposed rezoning.

#### QUESTIONS FROM COUNCIL

Councillor DeRoche inquired if the business is presently operating elsewhere at the present time. Mr. Hanusiak advised that the business is presently located at 3895 Peggy's Cove Road. Councillor DeRoche also inquired as to what other types of business would be permitted within the I-1 or I-3 Zone. Mr. Hanusiak advised that under the I-1 Zone any type of industrial activity could be permitted. He further explained that there is an over riding clause in the I-1 Zone that permits the building inspector to restrict any use which he, in his opinion, would be of an obnoxious or dangerous nature. With regard to the I-3 Zone, uses such as heavy machinery, sales and services, light manufacturing, service industries, warehouses, building supply outlets, greenhouses, etc. are permitted. Mr. Hanusiak noted that when Council discussed the I-3 Zone at a public hearing one of the main things looked at was producing a Zone that would allow industrial uses which were not considered to be heavy water users or heavy producers of waste water. He went on to state that that was put in the by-law simply because we would like to apply this zone in the unplanned areas and feel more comfortable applying it than the all purpose I-1 Zone.

#### SPEAKERS IN FAVOUR OF APPLICATION NUMBER RA-24-28-85-04

Mr. Fred Voegeli, applicant for the rezoning of the property in Shad Bay, indicated his desire to speak in favour of the application.

Mr. Voegeli pointed out that his residence is also next door to the place where he is applying for rezoning between the existing workshop and the proposed location. It was further stated that the property which is being applied for rezoning has been cleaned up considerably. He explained that they intend to maintain the property in a style of a residence so there is no visual indication that there is even a business there at all.

Mr. Voegeli advised that they have received approval and goodwill from their immediate neighbours and have never had any complaints about their existing business.

SPEAKERS IN OPPOSITION TO APPLICATION NUMBER RA-24-28-85-04

None.

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

"THAT the rezoning of the lands now or formerly of Stephen Edmonds, located at 3901 Prospect Road at Shad By, from G (General Building) Zone to I-3 (Light Industrial) Zone be approved."  
Motion Carried.

APPLICATIONS NUMBERS DA-SA-15-85-19, DA-SA-16-85-19, DA-SA-17-85-19, DA-SA-18-85-19

Mr. Hanusiak advised that there are four development agreements being proposed for consideration. He noted that all four will be addressed at the same time keeping in mind that any vote on the development agreements must be separated to involve four motions.

Staff recommended that the development agreements between the Municipality of the County of Halifax and Basil J. MacDougall, for Lots 7, 8 and 9 of the lands of the MacDougall Subdivision located on the Beaverbank Cross Road at Middle Sackville be approved. It was further recommended that the proposed development agreement between the Municipality of the County of Halifax and Basil J. MacDougall for the construction of a single unit dwelling on Lot 6 of the MacDougall Subdivision, located on the Beaverbank Cross Road at Middle Sackville be rejected.

Mr. Hanusiak stated that, based on site inspections of Lots 7, 8, and 9, it is the opinion of the Planning and Engineering Departments that with appropriate improvements each lot can be made suitable for the construction of a single unit dwelling.

Mr. Hanusiak explained that it is, however, the position of the departments of Planning and Development and Engineering and Works that Lot 6 cannot be developed in accordance with the type of design considerations insisted upon for recent developments along the Little Sackville River. It was stated that retention of the river as a stormwater course and protection of its water quality are the primary reasons for requiring the development agreements. Given that the development of Lot 6 cannot be carried out with reasonable assurances of lot stability and protection of the Little Sackville River, Mr. Hanusiak advised that Staff recommend that the application be rejected.

QUESTIONS FROM COUNCIL

Councillor MacKay, noting that 50 meters is the established grade of the River, inquired as to what the established grade of the Road or

proposed elevation of the road is. Mr. Hanusiak advised that the Road profile is in the vicinity of 55 meters. Councillor MacKay also inquired what the elevation of the storm sewer and the clear water sewer in the subdivision plan serviced area is. Mr. Hanusiak explained that there is no problem in getting the water to drain and flow through to the storm system that is located on the other side of the road. It was advised that there is no difficulty in providing services to the property.

Councillor MacKay expressed concern with regard to the dangers of flooding in the area. Mr. Hanusiak advised that the water has an opportunity to come up and rise without going over the bank on the Northern side. He advised that Staff are concerned with the fact that a lot of fill goes in on the Southern bank and builds it up to such a point that it will force in flooding conditions the water over onto Lot 12. Mr. Hanusiak advised that they have been able to cut back on about fifty (50) percent of the fill that was originally proposed. He explained that across the stream flooding is not so much an issue as it was given the Applicant's original proposal. He advised that they are not so concerned with the lot on the Northern side being flooded out on the condition that Lot 6 not be developed.

Mr. John Sheppard, Manager of Storm Drainage, was in attendance to address concerns brought forward by members of Council.

Mr. Sheppard circulated a copy of a picture, taken on March 15, showing the level of the River at that time. The elevation of the water at that time was 51.4 meters. He indicated that that was not a particularly significant rainfall event. Mr. Sheppard advised that their mandate is to permit development of subdivisions so that basements do not flood in the one in one hundred year rainfall event. It was noted that the Developer's consultant has indicated that he feels that that level is something like 52.8 meters. Mr. Sheppard noted that their recommendation was to locate the basements, therefore, not below an elevation of 54 meters because it would have to be around 53.8 meters before it flows over the top of the road.

Mr. Sheppard suggested that a decision should be put off, if there is any doubt about Lot 6, in particular, until after the study of the Little Sackville River is complete.

Councillor MacKay stated that his biggest concern with the Little Sackville River is not the development agreements but the damage that has happened prior to development in the installation and construction of roads and services.

Councillor Margeson inquired if any correspondence had been received either in favour of or opposed to this proposal. Mr. Hanusiak advised that a letter had been forwarded to Mr. Kelly from the Canada - Nova Scotia Flood Damage Reduction Program regarding development on the Little Sackville River and specifics with regard to this proposed development. Mr. Hanusiak further advised that that particular piece of correspondence was not available at the time that these agreements were prepared.



Councillor Margeson requested that consideration be given to things which get dumped into the river. Mr. Hanusiak advised, in preparing these development agreements, Staff looked at what was existing and found that Lot 6 was in real difficulties. In general, Mr. Hanusiak noted that the four lots on the left hand side of the road going in are not subject to development agreements but do fall within the flood plain. As you move back from the Beaverbank Crossroad onto these properties and move towards the very end, by the time you reach Lot 7 you are reaching what Staff considers to be threshold of development in that area given the fact that it is an existing flood plain. Mr. Hanusiak went on to state that when you reach Lot 6 all the technical data that they can gather clearly indicates that we have passed the threshold of an acceptable development.

SPEAKERS IN FAVOUR OF APPLICATION NUMBERS DA-SA-15-85-19,  
DA-SA-16-85-19, DA-SA-17-85-19, DA-SA-18-85-19

Mr. Basil MacDougall, applicant, indicated his desire to speak in favour of the applications.

Mr. MacDougall outlined the series of events which took place from the time he purchased the land to the subdivision plan. He advised that he purchased the land in 1971 and built a house a Lot 1 in 1972. In 1974 he indicated that he had over 7,000 square feet expropriated from him by the County for one dollar. He advised that that was to construct a sewer easement for Millwood. At that time, Mr. MacDougall stated that he planned a lot for each of his children.

In 1973 he noted that he met with his surveyors and drew up a subdivision plan that included a cul-de-sac and submitted eighteen copies to the County and they rejected it. He could not build a cul-de-sac because effectively he would be closing off the adjoining property. Mr. MacDougall reported that he drew up another plan and submitted them to the County. He went on to report that the County determined that the Little Sackville River was a property line and, therefore, he could not have a lot across the River. On that basis, Lot 6 did not have 6,000 square feet. Another plan was drawn and this time the road was moved up. Mr. MacDougall indicated that this made 6,000 square feet in Lot 6. It was noted that Lot 6 is not 60 X 60 but is 60 X 100 on the upper side of the River.

Mr. MacDougall went on to state that in 1984 he received a letter from the Department of Environment recommending the approval of the proposal. Mr. MacDougall stated that he had reached a development agreement on Lot 12 in 1983 which took three months. He went on to report that he applied for a development agreement on February 13, 1985 which he thought would take three months. Mr. MacDougall advised that he still does not have it.

Mr. MacDougall could not understand the delays with this proposal.

Councillor MacDonald inquired when the water is up over the culverts on the Old Beaverbank Road, does his lot flood. Mr. MacDougall advised that he has never seen a great amount of water there.

Councillor MacKay made reference to a letter addressed to Mr. Gough from the Department of the Environment with regard to the proposal. Councillor Mackay made reference to the statement in the letter respecting a Water Rights Permit. Mr. MacDougall advised that he had a Water Rights Permit in 1977 because he altered the course of the River by opening up a section of the River.

Cathy Wiswell, daughter of Mr. MacDougall, indicated her desire to speak in favour of the application.

Ms. Wiswell indicated that the MacDougall family have lived in Sackville long before development started and her father has made many contributions to help this community be a better place to live. She indicated that past developments have altered the land drastically having a tremendous impact on land and long time residents who want the area to develop with minimum change and without poverty stricken areas. The lot development her father proposes, Ms. Wiswell stated, is not to make money like most developments. She went on to state that her father is not a contractor. It was further noted that family members and friends have helped with this work under her father's supervision to ensure that the work is done properly for sewer and water details, roadways, compaction tests, and further stated that numerous inspections by County personnel and other qualified people have taken place.

Ms. Wiswell inquired if there is discrimination against her father because he is in a minority, or because he has a will and a want to help his children make a home for themselves, or because these seven lots, a 260 foot road and a stream in the eyes of some is an impossible combination.

Ms. Paula MacDougall indicated her desire to speak in favour of the application. She stated that her father has worked hard trying to reach a development agreement with the County. Ms. MacDougall reported that the river does not flow very fast due to the fact that they skated on the river when they were kids. She further explained that frogs live there now and frogs don't live in a fast flowing river. Ms. MacDougall felt that the only reason Staff are having a problem with this agreement is due to the fact that they have never really seen the land.

Mona Dorey, Boutillier's Point, indicated her desire to speak in favour of the application. She noted that she has known the MacDougall family for years advising that they have put a lot of money and time into this proposal.

Mr. Dean Logi, Lower Sackville, indicated his desire to speak in favour of the application. Mr. Logi could not see the reasoning why Staff would not approve Lot 6.

Councillor Margeson suggested that Christa Drive be curved so that more property could be put on Lot 6 while still serving Lot 5 and Lot 6. Councillor MacKay advised that the road is already in and the services are already in and have met the planning standards as proposed and or requested. Under present planning standards, Councillor MacKay stated that you cannot block off access from adjoining lands.

Mr. Paul Wiswell indicated his desire to speak in favour of the proposal. Mr. Wiswell advised that he grew up in Sackville in his teen years and noted that he has never seen the River raise that much to have a great concern about it. He noted that it has been straightened many times by other big developers. Mr. Wiswell made reference to page 2 of the Staff Report where it states "the elevation of approximately one-half of the subject property must be raised to such an extent that the slope or incline on the remainder of the property will be dangerously steep and unstable". He pointed out that he has seen many big developers make lots stable that have not slid away yet. Mr. Wiswell felt that there was no reason why Lot 6 should not be given approval pointing out that there are all kinds of flood plains to take care of that River. Mr. Wiswell indicated that the Lots are high and dry. He felt that Mr. MacDougall should be given the same consideration as the big developers even though he is doing it for his family and not profit.

Mr. Dan Parker made reference to the Lots themselves. He stated that he has lived in the general area most of his life. Mr. Parker suggested to the County officials when an organization is looking into waterways in Sackville, they look into management of the entire waterway not into simply one particular aspect.

Mr. Parker noted that the Little Sackville River has undergone some changes in the last few years. It was his opinion that these minor changes have caused an accumulative effect on the property of Mr. MacDougall and felt that with proper management on his behalf it could probably overcome or at least subdue these effects due to other minor changes. One change is just down the River which is the flooding at the culvert of the Beaverbank Crossroad. He noted that there is a second culvert at Brook Street which is part of the Sackville Mobile Home Estates. Mr. Parker indicated that during the month of March you will notice the ice conditions to be much more prevalent than during any other time of the year. Ice conditions, being what they will, will build up in one particular area and then will accelerate and build up to a faster degree further up as the flow of water is impeded. The culvert at Brook Street has, since its original implant, become compressed by the activity of traffic going over the highway and, in so doing it, it is impeding the flow of the ice and its natural progression down the River causes a flooding in that general area hence you get a backing up of the water to the second culvert at the Beaverbank Crossroad. A pooling because of a minor change in the flow of the water in the River takes place Mr. Parker pointed out.

Mr. Parker also brought forward information with regard to Lot 6. He pointed that there is not an abrupt corner at Lot 6 but indicated that there is a constant flood plain in another location up the Little Sackville River.

Mr. Parker felt it immature to be passing judgement on Mr. MacDougall's properties since the study into the Little Sackville River is not complete.

Councillor Eisenhower expressed concern with the Millwood Development and Lot 6. He felt that Lot 6 may cause many problems down the road. Mr. Parker hoped that consideration would be given to people who had developed previously to Millwood and that the level of the River would not be adversely affected.

Councillor Baker inquired why the culverts are not being replaced if they are too small or are causing problems.

Mr. Paul Hyland stated that Mr. MacDougall approached him some months ago because he was unsure as to the procedure the County has in putting together a development agreement. He advised that he was concerned with the time involved with this development agreement. Mr. Hyland advised that he raised this concern at PAC at one time and requested a report. Mr. Hyland advised that he never received an answer as to the reason for the apparent undue delay. He commended Staff and those concerned with the River and the environment.

Mr. Hyland went on to state that Mr. MacDougall approached Council on February 13 and asked for development agreements for the lots that were within one hundred feet of the Little Sackville River. He did that following receiving tentative approval of his subdivision by the County of Halifax and a copy of that is before Council dated August 17, 1984 signed by Mr. Gough. Prior to that, he had received on May 31, 1984 approval from the Department of Environment and would assume that when they recommend approval of the subdivision, they have done their work. Mr. Hyland stated that this particular subdivision before Council has been prepared by Mr. MacDougall. Mr. Hyland reviewed the Plan with Council. Mr. Hyland circulated pictures of the site. He advised that he was surprised at what Staff was telling PAC and what he saw when he visited the site and walked the area in question. Mr. Hyland advised that he stood almost inside that culvert on July 15 and there was no water in that culvert. He went on to report that he walked up the River and found a site in front of Lot 7 and that water did not move for the hour he stood there. Mr. Hyland suggested that it was not running. The Little Sackville Brook, as referred to by Mr. Hyland, does not take any deviations in front of Lot 6. He stated that there are no sideyards in his opinion that are eight and ten feet that are going to get washed out. He reported that there is a large cluster of alder trees next to Lot 6 that go for at least a mile. He noted that they do not appear that they have ever been washed out or moved by any kind of river.

Mr. Hyland felt that a house built on Lot 6 is not going to impede that River. He went on to advise that there is plenty of flood plain above Lot 6 to look after any kind of flood.

Mr. Hyland reported that Lot 12 accommodates a house with a patio door at the basement level. He explained that that is sixty two feet from a manhole that services the water and sewer easement which is forty two feet from the edge of the River. Mr. Hyland indicated that the backyard of Lot 12 has never flooded during any kind of flash flood since Lot 12 was developed.

With regard to Lot 11, Mr. Hyland advised that it is thirty three feet from the edge of the culvert to the edge of the foundation and that foundation is an eight foot foundation. He reported that he did not hear that Lot 11 on March 15 flooded.

Mr. Hyland stated that it was his understanding that development agreements were there to protect the River but not stop development. He advised that they were put there to enhance development. Mr. Hyland suggested that there is no identifiable flood plain on the Little Sackville River at the present time.

Councillor DeRoche inquired how much difference, if any, between the banks where Basil MacDougall's development is and Lot 12 on the other side of the stream. Mr. Hyland advised that the bank on the back of Lot 12 is about eight feet. Councillor DeRoche indicated that, in the picture Mr. Hyland distributed before PAC sometime ago, Lot 12 had a lot of open ground. He inquired if there was any indication of that having just been recently put there to possibly correct any damage. Mr. Hyland advised that there was an attempt by the owner to put fresh seed there and plant a garden. Councillor DeRoche inquired as how high the bank on Lot 6 is. Mr. Hyland advised that, at the present time, the back part of the Lot has not been stabilized awaiting approval because Mr. MacDougall did not want any development to be interpreted as infilling the River. The back of Lot 6 and the adjacent land above that is of the same grade.

SPEAKERS IN OPPOSITION TO APPLICATION NUMBERS DA-SA-15-85-19,  
DA-SA-16-85-19, DA-SA-17-85-19, DA-SA-18-85-19

Anne Merrit, chairman of the Sackville River Advisory Board, spoke opposed to the proposal.

Ms. Merrit stated that Policy P87 of the Municipal Development Plan for Sackville states "no development will be permitted within one hundred feet of the Little Sackville River". It further states that "development may be permitted under a development agreement". The purpose of this policy is to afford some degree of protection to the River until the Canada - Nova Scotia Flood Damage Reduction Study can define the flood plain areas. Protection was and is necessary for the Little Sackville River not for aesthetic reasons but so it can continue to function as a natural drainage system for the thousands of acres of land that make up its watershed. Ms. Merrit felt that it is misnamed. Her name for it would be the Little Sackville Drainage Ditch. Policy P87 recognizes that function.

In order that the policy could be easily administered, guidelines have been set outlining how flood proofing measures may be carried out on properties situated within the one hundred foot boundary. Prime importance in these guidelines, is how disturbed soil or fill will be stabilized and storm water run off controlled to prevent erosion and subsequent siltation of the River.

Ms. Merrit went on to state that it is the opinion of environmental experts that the Little Sackville River is a primary source of siltation in Bedford Basin and is definitely destroying the Salmon breeding grounds in the lower section of the main Sackville River into which the Little Sackville River flows. Incidentally, the Department of Fisheries has indicated that the salmon breeding grounds could revive as few as five years if the siltation was minimized.

The past two years has seen an extraordinary number of proposals for development along the River. Ms. Merrit further stated that in every case, except one, the developer was able to provide buffer zones in the form of parkland or, where filling was necessary, to restrict the fill to the front portion of the lots away from the River. In every case, except one, topsoil and vegetation were left undisturbed for at least twenty feet from the River bank. She explained that this allows storm waters to filter slowly into the River and lessens the possibility of siltation both during and after construction. In the one instance, where no buffer left and trees were stripped from the River banks, a lot outside the one hundred foot designation and considered out of danger now has problems.

Ms. Merrit advised that Mr. MacDougall's plan does not allow for the retention of vegetation or undisturbed soil. What he proposes for lot six would, if approved, be in direct opposition to policy P87. Ms. Merrit further indicated that Mr. Hanusiak has already explained the problems with the grading of the lot to provide stability. She noted that this stability is imperative to protect the lot from erosion by flood waters emanating from upstream. This is the first case, Ms. Merrit advised, where the lot in question could be in as much danger from the River as the River is from the lot. Ms. Merrit pointed out that the River's Board have to consider the total effect of a development rather than each lot individually especially in this case where all four lots are adjacent to one another and all require substantial amounts of fill.

As stated earlier, Ms. Merrit again stated that the Little Sackville River has served as a natural drainage system since time in memorial. In recent years it has become an integral part of the storm drainage systems for every development bordering on it. Ms. Merrit noted that it is the collector for all storm water being piped from these subdivisions. Without getting technical, Ms. Merrit explained that this means that water that used to be absorbed by the soil and filtered slowly through marshy areas before entering the River is now piped almost immediately into the River. This results in more water entering the River in shorter periods of time.

Ms. Merrit went on stating that Mr. MacDougall's proposed development is almost immediately down stream from the largest development to effect the River, Millwood Village. As Millwood progresses, Ms. Merrit indicated that we will see the rate of storm water run off increased. We know the River channel will be restricted and has already been straightened by Mr. MacDougall. Enlargement of the culvert to prevent flooding of the lowest levels of Lots 6,7,8, and 9 and possibly the roadway will simply move the problem downstream in her opinion.

Ms. Merritt advised that the Sackville Rivers Advisory Board feels that the decision to approve or deny development of Lot 6, 7, 8, and 9 of the Basil MacDougall subdivision must be based on information which at this time is not available and, therefore, recommend the deferral of any decision until the Canada - Nova Scotia Flood Damage Reduction Study is completed.

Mr. Kelly read the letter from Mr. Doane, Program Manager for the Canada - Nova Scotia Flood Damage Reduction Program, dated July 31, 1985 with regard to new housing, Little Sackville River.

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

"THAT the Development Agreement between the Municipality of the County of Halifax and Basil J. MacDougall, for Lot 9 of the lands of the MacDougall Subdivision located on the Beaverbank Cross Road at Middle Sackville be approved."  
Motion Carried Unanimously.

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

"THAT the Development Agreement between the Municipality of the County of Halifax and Basil J. MacDougall, for Lot 8 of the lands of the MacDougall Subdivision located on the Beaverbank Cross Road at Middle Sackville be approved."  
Motion Carried Unanimously.

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

"THAT the Development Agreement between the Municipality of the County of Halifax and Basil J. MacDougall, for Lot 7 of the lands of the MacDougall Subdivision located on the Beaverbank Cross Road at Middle Sackville be approved."  
Motion Carried Unanimously.

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

"THAT the Development Agreement between the Municipality of the County of Halifax and Basil J. MacDougall, for Lot 6 of the lands of the MacDougall Subdivision located on the Beaverbank Cross Road at Middle Sackville be approved."

Councillor Wiseman indicated that she felt comfortable in supporting the other three lots but did express concern with regard to Lot 6. It was her opinion, due to the advise given to Council by our Planning Department and our Engineering and Works Department, that there are problems for Lot 6. Councillor Wiseman's major concern was with regard to the financial responsibility to the County. Councillor Wiseman felt that development on this lot be held off until accurate information is received from the Flood Damage Reduction Program before any approval is given. It was her feeling that the County would be bearing the responsibility if there is flooding of that lot and therefore could not support it at this time.

Councillor MacKay advised that he has visited the lot and stated that he is concerned with the protection of the river and feels that Council has that afforded to us through the development agreement. Secondly, Councillor MacKay expressed concern with respect to the flood proofing of the home and felt that this was also afforded from the elevations. Councillor MacKay stated that he was in favour of Mr. MacDougall's proposal.

Motion Carried Unanimously.

ADJOURNMENT

There being no further business, the meeting adjourned.



MINUTES & REPORTS

OF THE

THIRD YEAR MEETINGS

OF THE

FORTY - FIRST COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

SEPTEMBER COUNCIL SESSION

TUESDAY, SEPTEMBER 3 and 17, 1985

&

COMMITTEE OF THE WHOLE

SEPTEMBER 26, 1985

&

PUBLIC HEARINGS

SEPTEMBER 9 and 23, 1985

September Council Session - 1985

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**COUNCIL SESSION**  
**SEPTEMBER 3, 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. K. R. Meech, Chief Administrative Officer  
Mr. G. J. Kelly, Municipal Clerk  
Mr. R. Cragg, Solicitor, County of Halifax

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.

APPOINTMENT OF RECORDING SECRETARY

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

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

APPROVAL OF MINUTES - AUGUST 12, 1985 PUBLIC HEARING

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

"THAT the minutes of August 12, 1985 Public Hearing be approved as circulated."

Motion Carried.

AGENDA ITEMS

None.

LETTERS AND CORRESPONDENCE

Mr. Kelly advised that a letter was received from the Department of Transportation in response to our correspondence with respect to an investigation of access for the Cole Harbour Road Shopping Center to determine if there is an acceptable alternative to having access onto Hugh Allen Drive. The Minister, in his letter, indicated that the Department has investigated the proposed points for the shopping center and found that they both meet Department safety standards. As a result, a permit was issued on March 13, 1985, for the construction of the access points.

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

"THAT this item of correspondence be received."

Motion Carried.

Mr. Kelly indicated that a letter had been received from the Minister of Lands and Forests in response to our correspondence with respect to Crystal Crescent Beach, Sambro, Halifax County. The Minister, in his letter, stated that current budgets do not permit expansion of the present parking lot or parking supervision. He is, however, instructing staff to include this park in the preliminary list for funding in the 1986-87 fiscal year.

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

"THAT this item of correspondence be received."

Motion Carried.

Mr. Kelly advised that a letter had been received from the Prime Minister in response to our correspondence respecting the partial de-indexation of Old Age Security benefits as proposed in the Budget brought down on May 23.

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

"THAT this item of correspondence be received."

Motion Carried.

REPORT OF THE PLANNING ADVISORY COMMITTEE

Controls for Multi-Unit Development in Sackville

Mr. Kelly read the report.

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

"THAT a public hearing be held October 28, 1985 at 7:00 p.m. to consider the proposed amendments to the Sackville Planning Strategy and By-Law."  
Motion Carried.

Application No. RA-SA-21-85-19 - Application by Langevin Developments to rezone Lot "A" of the lands of William Rogers, located on Connolly road at Lower Sackville, from R-1 (Single Unit Dwelling) Zone to R-4 (Multi-Unit Dwelling) Zone

Mr. Kelly read the report.

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

"THAT a public hearing be held October 28, 1985 at 7:00 p.m. to consider Mr. Roger's proposal."  
Motion Carried.

EXECUTIVE COMMITTEE REPORT

An Act Respecting Uniform Closing Day for Retail Businesses

Mr. Kelly read the report stating that the Executive Committee has reviewed Bill #70 which is the Act. Mr. Kelly advised that he has forwarded to all Council members copies of Bill #70, the proposed by-law and correspondence from Halifax-Dartmouth Council of Churches.

Councillor Reid declared conflict of interest.

Mr. Meech suggested that we advertise that we are holding a Committee of the Whole Council at which time we are prepared to hear representation from individuals, businesses and institutions and following that, at the next Council Session subsequent to that Committee of the Whole, deal specifically with the passage of a by-law.

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

"THAT the Municipality publicly advertise that there is going to be a special Committee of the Whole Council Session at which time the Council is interested in hearing representation for or against the issue regarding a Uniform Closing Day By-Law."  
Motion Carried.

The Committee agreed to hold the Special Council Session on September 26, 1985 at 7:00 p.m.

Service for Sexual Assault Victims Organization

Mr. Kelly read the report indicating that the Executive Committee recommend a grant in the amount of \$2,100 for the Service for Sexual Assault Victims Organization.

The Committee requested more information with regard to this item. Councillor Mont inquired how many people in the County they are helping and what sort of budget they are dealing with.

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

"THAT this item be deferred until further information is received."  
Motion Carried.

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

Request for District Capital Grant, District 1

Mr. Kelly read the report.

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

"THAT a District Capital Grant, District 1, in the amount of \$4,250 for the purpose of upgrading various school properties for school and community recreation use in District 1 be approved."  
Motion Carried.

Request for District Capital Grant, District 1

Mr. Kelly read the report.

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

"THAT a District Capital Grant, District 1, in the amount of \$4,435.86 for expenses incurred for the take-over of Christie's Road be recommended to Council for approval."  
Motion Carried.

Request for District Capital Grant, District 7

Mr. Kelly read the report.

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

"THAT a District Capital Grant, District 7 in the amount of \$2,506.25 for fencing of walkway alongside No. 150 Teranaki Drive be approved."  
Motion Carried.