

Request for District Capital Grant, District 7

Mr. Kelly read the report.

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

"THAT a District Capital Grant, District 7, in the amount of \$465 to supply and install steel posts at both ends of walkway between Hillsborough Drive and Brian Drive, Sunset Acres to restrict motorized vehicle passage be approved."

Motion Carried.

Request for District Capital Grant, District 11 and Request for Loan -
Tangier Volunteer Fire Department

Mr. Kelly read the report.

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

"THAT a District Capital Grant, District 11, in the amount of \$4,000 for the Tangier Volunteer Fire Department and a loan in the amount of \$34,850 for the purpose of carrying out building improvements and purchase of a fire vehicle be approved and the loan be advanced for a ten (10) year period with Council reserving the right to levy an area rate in default of principal and/or interest repayments."

Motion Carried.

Request for Parkland Fund Grant, District 14

Mr. Kelly read the report.

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

"THAT an allocation of funds from the District 14 parkland fund in the amount of \$5,000 for the purpose of developing Vic Hilchie Memorial Park be approved."

Motion Carried.

Request for Parkland Fund Grant, District 14

Mr. Kelly read the report.

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

"THAT an allocation of funds from the District 14 parkland fund in the amount of \$1,000 for the purpose of carrying out improvements to the Silversides Park be approved."

Motion Carried.

Dog Control Agreement - Imperial Investments Limited

Mr. Kelly read the report advising that the Executive Committee

recommend approval for an agreement between the Municipality and Imperial Investments Ltd. for the provision of a Dog Control Program throughout the entire Municipality for a three (3) year period.

Councillor Mont expressed difficulty with regard to Mr. Mont's (owner of the Company) ability to run a dog control operation. Councillor Mont also expressed concern with regard to engaging in a three year agreement with a new operator. Councillor Mont suggested that, if we do decide to approve an agreement with Imperial Investments Ltd., the agreement be for a one (1) year period.

Mr. Meech explained the reasons why it was suggested that we enter into a three (3) year program. He advised that incorporated in the Agreement is a clause which states, with a ninety (90) notice, we can terminate either with or without cause at any time during the life of the Agreement. Mr. Meech further advised that the proposal from Imperial Investments indicated that they were prepared to take a three year contract with no change in the dollar amount over the three year period.

Councillor DeRoche felt that, at the present time, he does not have sufficient information on which to make a considered judgement. He went on to state that he has been less than pleased with the service provided by the former contractor (SPCA) with respect to service provided in his District. Councillor DeRoche felt that he can expect the same service that he had before due to the fact that Imperial Investments intends to operate with the same staff that the SPCA had. He advised that the service to his District is unsatisfactory. Councillor DeRoche suggested additional information be received and also felt that the Municipality should be looking at a one year contract with renewability clauses.

Councillor McInroy was very much concerned that we did not provide enough detailed information so that all of those who were interested and responded knew exactly what we were dealing with when we advertised for proposals. Councillor McInroy felt that this matter should be referred to the Executive Committee pending additional information.

Councillor MacKay had difficulty with re-tendering or calling for repropoals because the competition is aware of what was bid. Councillor MacKay felt that there should be a minimum level of patrol within a certain district when you are going to have a dog control service. He further suggested that the dog patrol should travel the road on at least one day of the week especially on the day of garbage collection within that district prior to garbage being picked up.

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

"THAT this item be tabled until after the public hearing."
Motion Carried.

PUBLIC HEARING - UNDERSIZED LOT LEGISLATION - JAMES RYAN - 7:00 P.M.Appeal of Application for a Minor Variance (MV-14-19-85), Lot 4, D. M. Bentley Subdivision, 953 Old Sackville Road, Lower Sackville

Mr. Ted Brown, Planning Technician, presented the appeal of application for a minor variance.

Mr. Brown advised that on July 12, 1985, Mr. Ira Hartlen submitted applications for building and development permits along with a minor variance application. He went on to state that the minor variance application was to request a reduced side yard setback of four feet, instead of the required eight feet, for the construction of a sundeck. Since construction had started prior to the issuance of a development permit as required under Section 4.1 (a) of the Sackville Land Use By-law, this application for a minor variance was refused.

Mr. Brown advised that the applicant is appealing the decision of the Development Officer, and Council is being asked to give their consideration to the matter.

Speaker in Favour

Mr. Ira Hartlen, applicant, stated that he wants to build a sundeck and have the access to it from the entrance at the end of his house. Mr. Hartlen reported that he was unaware of the required by-laws for building his sundeck.

Councillor DeRoche inquired if Mr. Hartlen did not know that he needed a permit to build. Mr. Hartlen advised that this was true. Councillor DeRoche inquired if Mr. Hartlen knew that he needed a permit to build explaining that he built his house rather than purchasing it built. Mr. Hartlen indicated that he was unaware that he required a permit.

Speakers in Opposition

None.

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

"THAT the appeal of application for a minor variance (MV-14-19-85) be approved."
Motion Carried.

Subdivision Application No. F 491-85-04. Approval of Lots A-X and A-Y for the James Ryan and the Estate of Richard Blackburn Subdivision through the Undersized Lot Legislation.

Mr. Gough, Development Officer, advised that staff recommends approval of Lots A-X and A-Y of the James Ryan and the estate of Richard Blackburn Subdivision through the Undersized Lot legislation. He reported that there are two houses presently on the one lot. The purpose of the request is to subdivide the lot into two parcels, giving each house a separate lot.

Mr. Gough advised that no correspondence was received either in favour of or opposed to the application.

Speakers in Favour of Application

None.

Speaker in Opposition to Subdivision Application No. F 491-85-04

None.

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

"THAT Subdivision Application No. F 491-85-04 be approved."
Motion Carried.

Dog Control Agreement - Imperial Investments Limited

Members of Council went on to discuss a dog control agreement.

Councillor Deveaux indicated that he is prepared to accept the contract that the committee and staff have brought before Council. Councillor Baker indicated his satisfaction with the SPCA.

Mr. Kelly circulated copies of the memorandum which was circulated to members of the Executive Committee. Mr. Kelly indicated that the present term of contract was terminated by SPCA. At that time, Mr. Kelly reported that he advertised for proposals as instructed by the Committee. He went on to report that he sent a memorandum to members of Council advising that the contract was terminated and that we were calling for proposals. The date for completion for receipt of proposals was July 31. On August 9, Mr. Kelly advised that he brought to the Executive Committee the proposals that had been received. Mr. Kelly went through the breakdown of proposals submitted for carrying out a Dog Control Program. He went on to state that the Executive Committee agreed to send a copy of the agreement with Imperial Investments Limited to Council for approval.

Councillor Eisenhower felt that people submitted what they wanted to do and felt uncomfortable in asking someone to bid on something that they really did not want to do in the first place. Councillor Eisenhower indicated his support in favour of the recommendation to enter into an agreement with Imperial Investments Limited.

Councillor Lichter suggested that Council give agreement to the proposal for one year rather than three suggesting that one year would give enough time to those others to study the situation and come up with a program for the entire County a year from now.

Councillor Mont felt that the Municipality should be seeking proposals for animal control rather than dog control.

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

"THAT this item be referred back to the Executive Committee."
Motion Defeated.

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

"THAT Imperial Investments Limited be the recipients of the contract for one year."

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

"THAT the motion be amended to read a three year term rather than a one year term."

Councillor DeRoche spoke against the amendment and spoke in favour of the original motion on the basis that he would be prepared to allow this contractor the opportunity of proving himself. Councillor Mont agreed that better service would be provided by a one year contract.

Councillor MacKay expressed concern with regard to payment in advance. Mr. Cragg advised that Clause 2 will suggest that the first payment will be due and payable on or before the 24th day of October, 1985 rather than September 24th, 1985.

Councillor Adams noted that dog control has never been an acceptable service in District 8.

Councillor MacKay was advised that Clause 2 of the contract will indicate that payment is due on October 24, 1985 rather than September 24, 1985.

Amendment Carried.

Motion Carried as Amended.

REPORT - ADHOC COMMITTEE ON EDUCATION - COUNCILLOR LARSEN

Councillor Larsen indicated that there was a combined motion passed by Councillor Bill Roy, Bedford Town Council, and himself in which they were looking to see if there were some avenues to approve upon the present arrangement with the school board and school board matters. He advised that they would be, first of all, looking at the accountability of the school board and try to avoid confrontation in future.

Councillor Larsen pointed out that Council has not endorsed his membership on the Adhoc Committee and suggested that an additional member could become involved.

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

"THAT Councillor Larsen be the delegated representative of this Council on the Adhoc Committee."
Motion Carried.

SENIOR CITIZENS HOUSING, DISTRICT 3 - COUNCILLOR LARSEN

Councillor McInroy declared conflict of interest.

Councillor Larsen advised that, subsequent to the motion of asking the Department of Housing on the status of a senior citizens complex for the district, a quick response was received. Councillor Larsen indicated that the regional manager stated that his recommendations for the proposed project in 1986 to their head office has gone forward and the recommendation includes fifteen units for District 3. Councillor Larsen thanked Council for their support.

Warden MacKenzie informed Council that he has arranged to have all the County participants of the Canada Summer Games in the chamber on September 17th to make presentations to the middle winners as well as all participants. Warden MacKenzie noted that a small reception will be held at 5:30 p.m. in the Board Room prior to the Council Session.

ADDITION OF ITEMS TO THE SEPTEMBER 17, 1985 COUNCIL SESSION

Councillor Baker - Garbage Collection

Councillor Margeson requested that the topic of fire prevention be added to the first Council Session in October.

Councillor MacKay - Nonconforming Uses

ADJOURNMENT

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

"THAT Council adjourn."
Motion Carried.

PUBLIC HEARING

SEPTEMBER 9, 1985

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Poirier
Councillor Larsen
Councillor Baker
Councillor DeRoche
Councillor Adams
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor Eisenhower
Councillor MacDonald
Councillor Wiseman

ALSO PRESENT: Mr. G. J. Kelly, Municipal Clerk
Mr. R. Cragg, Municipal Solicitor
Mr. M. Hanusiak, Planner

SECRETARY: Margaret MacDonell

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 Snow:

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

APPLICATION NUMBER RA-SA-47-85-20

Mr. Hanusiak indicated that there are a number of rezoning applications, zone amendment applications, and development agreements before Council. He noted, as a general comment, that each of the applications was advertised in accordance with the provisions of the

Planning Act and, to this date, no letters have been received objecting to any of the rezonings or any of the matters that are being discussed this evening. Mr. Hanusiak was not aware of letters that may have been received regarding the applications that may have been in favour of them.

Mr. Hanusiak indicated that rezoning application RA-SA-47-85-20 is an application by the County of Halifax to rezone the lands of Henry B. Kuryluk, located at Number 7 Cornwall Street, Lower Sackville, from R-1 (Single Unit Dwelling) Zone to R-2 (Two Unit Dwelling) Zone.

In April of 1974, Mr. Kuryluk had applied to the Municipality for a permit to construct a detached garage on the property. Mr. Hanusiak stated that the permit was issued. During a routine inspection in early of this year, it was noted that the detached garage was now being attached to the structure and being converted to an apartment. Mr. Hanusiak went on to state that the department were unaware of the fact that the basement of the existing single family dwelling had a basement apartment in it. That basement apartment had been there for approximately twelve years. Given that situation, Mr. Hanusiak advised that the dwelling unit was considered to be a non-conforming use under the land use by-law for Sackville in the sense that it was regarded as a two unit dwelling in an R-1 Zone. The permit could not be issued for the actual attachment of the garage nor could the conversion of the garage be tolerated. Permits regarding any construction were halted until such time that this matter could be cleared up.

Mr. Hanusiak reported that the application was brought forward to the Planning Advisory Committee's attention by Councillor Lois Wiseman. Mr. Hanusiak advised that the Planning Department has no difficulty in recommending the application primarily on the basis that the two unit dwelling has existed well before the R-1 zoning came into effect. The Planning Department are recommending approval of the application.

Mr. Hanusiak pointed out that they do have some concerns that the developer may attempt to maintain the upper level of the existing house as an apartment, keep the basement apartment in the house, and then turn the existing garage into a third unit. The developer has indicated that that is not his intentions. Mr. Hanusiak indicated that it is the Planning Department's intention as well as the Building Inspection's intention to monitor construction throughout the life of the project and, after the development is completed, make sure that a third unit never comes into existence.

QUESTIONS FROM COUNCIL

None.

SPEAKERS IN FAVOUR OF APPLICATION RA-SA-47-85-20

None.

SPEAKERS IN OPPOSITION TO APPLICATION NUMBER RA-SA-47-85-20

None.

Councillor Wiseman felt that regardless of whether the intention is there to possibly try to put another unit in that building, we cannot deny the person the R-2 Zoning. She further stated that Council can make sure that the development will be watched very closely to make sure that a third unit does not go in there.

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

"THAT Application Number RA-SA-47-85-20 to rezone the lands of Henry B. Kuryluk located at Number 7 Cornwall Street, Lower Sackville, from R-1 (Single Unit Dwelling) Zone to R-2 (Two Unit Dwelling) Zone be approved."
Motion Carried Unanimously.

LAND USE BY-LAWS FOR SACKVILLE

Mr. Hanusiak stated that the second application before Council concerns general amendments to each of the Municipality's five land use by-laws. The nature of the amendments is somewhat two fold. The goal of the amendments is to eliminate side yard requirements for the commonly shared lot line which divides either semi-detached dwelling units or rowhouse dwelling units. The second purpose of the amendment is to clarify a point with regard to potential subdivision and development of rowhouse dwellings.

Mr. Hanusiak illustrated the purpose of the amendments giving a general description of what is being intended by the change in the by-laws.

QUESTIONS FROM COUNCIL

Councillor Margeson inquired if the units have a common roof. Mr. Hanusiak advised that the units have a common roof. Each of the units are separated by a fire wall which is built up and each of the units have a separate servicing for water and sewer.

Councillor Wiseman noted that the last paragraph of the first page of the staff report indicates that zero sideyard clearance is permitted from property lines which separate individual dwelling units and this provision would also apply to any additions made to the main building, including sundecks and porches. She noted that the paper does not make any reference to sheds. Mr. Hanusiak reported that the discussion paper should have also included sheds. Councillor Wiseman expressed concern with regard to building a shed at the fence line. Mr. Hanusiak confirmed that Section 4.13 A of the Zoning By-law says that in any residential zone garages must be eight feet away. It further stated that any accessory building i.e. storage shed must be eight feet.

Councillor DeRoche inquired if he was correct in interpreting that a single family house on a lot of only forty foot frontage is considered sub-standard. Mr. Hanusiak stated that, relative to the requirements of the by-law, they are looking at minimum requirements of 60 feet frontage for a single family dwelling.

SPEAKERS IN FAVOUR OF THESE APPLICATIONS

None.

SPEAKERS IN OPPOSITION TO THESE APPLICATIONS

None.

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

"THAT the by-law to amend the zoning by-law for Sackville be approved."

Motion Carried Unanimously.

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

"THAT the by-law to amend the Zoning By-Law for Timberlea/Lake-side/Beechville be approved."

Motion Carried Unanimously.

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

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

Motion Carried Unanimously.

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

"THAT the by-law to amend the Zoning By-law for Cole Harbour/Westphal be approved."

Motion Carried Unanimously.

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

"THAT the By-law to amend the Zoning By-Law for North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston be approved."

Motion Carried Unanimously.

APPLICATION NOS: DA-SA-19-85-19, DA-SA-20-85-19, DA-SA-21-85-19, DA-SA-22-85-19, DA-SA-23-85-19, DA-SA-24-85-19

Mr. Hanusiak stated that the applications are for development agreements between the Municipality and Five Point Development Co. Ltd. for Lots 28, 92, 93, 96 and 97 of the lands of Sunnyvale Estates, Phases 11 and 111 located on Sunnyvale Crescent at Lower Sackville.

The Development Agreements would permit the construction of single unit dwellings on Lots 28, 92, 93, 94, 96 and 97 of the lands of Sunnyvale Estates, Phase 11 and 111, located on Sunnyvale Crescent at Lower Sackville.

Mr. Hanusiak stated that the necessity for a Development Agreement stems from Policy P-87 of the Sackville municipal planning strategy which requires that any development within 100 feet of the Little Sackville River may only be considered by development agreement having regard to the scale of development, protection of the watercourse and the general amendment provisions of Policy P-104.

It is the opinion of the Planning and Engineering Departments, based on site inspections of the above noted lots, that with appropriate improvements each lot can be made suitable for the construction of a single unit dwelling.

Mr. Hanusiak reviewed the agreement and recommended approval of the development agreements.

QUESTIONS FROM COUNCIL

Councillor MacDonald inquired as to the width of the green area. Mr. Hanusiak advised that there is approximately forty (40) feet of green area. Councillor MacDonald further inquired if this was suitable land for recreation and play areas. Mr. Hanusiak felt that it was not good land for active recreation purposes but felt that the land provides certain buffering to the river. Mr. Hanusiak indicated that there was a parcel of land in the subdivision set aside for recreation. It was pointed out that that parcel of land floods at the present time. Councillor MacDonald felt that there should be a piece of land available for playground purposes. Mr. Hanusiak indicated that that piece of land was taken originally for environmental protection purposes but stated that it could act as a playground area.

Councillor Margeson expressed concern with regard to using a piece of land for recreation purposes which appears to be questionable. Mr. Hanusiak stated that they will be looking for, if the need is there, an active piece of playground.

SPEAKERS IN FAVOUR OF THE APPLICATIONS

None.

SPEAKERS IN OPPOSITION TO THE APPLICATIONS

None.

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

"THAT Application Number DA-SA-19-85-19 be approved."
Motion Carried.

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

"THAT Application Number DA-SA-20-85-19 be approved."
Motion Carried.

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

"THAT Application Number DA-SA-21-85-19 be approved."
Motion Carried.

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

"THAT Application Number DA-SA-22-85-19 be approved."
Motion Carried.

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

"THAT Application Number DA-SA-23-85-19 be approved."
Motion Carried.

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

"THAT Application Number DA-SA-24-85-19 be approved."
Motion Carried.

ADJOURNMENT

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

"THAT this public hearing adjourn."
Motion Carried.

COUNCIL SESSION
SEPTEMBER 17, 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 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. R. Cragg, Municipal Solicitor
Mr. G. J. Kelly, Municipal Clerk

SECRETARY: Margaret MacDonell

PRESENTATION RE CANADA SUMMER GAMES

Warden MacKenzie made presentations to the County participants who participated in the 1985 Canada Summer Games.

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 DeRoche, seconded by Councillor Snow:

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

APPROVAL OF MINUTES

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

"THAT the minutes of August 6, 1985 Council Session be approved as circulated."

Motion Carried.

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

"THAT the minutes of August 26, 1985 Public Hearing be approved as circulated."

Motion Carried.

AGENDA ITEMS

Councillor Gaetz - Request for Parkland Fund Grant

Councillor Adams - Senior Citizens Units

Deputy Warden Walker - Senior Citizens

Councillor Gaudet - Sharp Turn, West Dover
Young People Involved in Minor Hockey, District 4

LETTERS AND CORRESPONDENCE

Mr. Kelly advised that there are no letters or correspondence.

REPORT OF THE PLANNING ADVISORY COMMITTEE

Parkland Dedication

Mr. Kelly read the report.

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

"THAT North American Real Estate, Lot 131, Maplewood Subdivision, Timberlea being donated to the Municipality under the provision of the Planning Act be accepted as parkland."

Motion Carried.

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

"THAT Haliburton Hills Development Ltd., Lot 132PA, Tantallon being donated to the Municipality under the provision of the Planning Act be accepted as parkland."

Motion Carried.

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

"THAT the Highland Park Subdivision, Block L1M, Hammonds Plains being donated to the Municipality under the provision of the Planning Act be accepted as parkland."
Motion Carried.

Councillor Mont expressed concern with regard to walkways not being fenced. Mr. Birch advised that it would be the intention that the Subdivision By-law requires that the fencing be done by the developer. Mr. Birch further advised that Staff would be following this matter up with Clayton Developments.

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

"THAT Colby Village, Parcel P-11 & Walkways between lots (7-9, 7-10, 7-19R & 7-20R, 8-15 & 8-16) being donated to the Municipality under the provision of the Planning Act be accepted as parkland."
Motion Carried.

Sackville Plan Amendment - Tri-Arm Developments

Mr. Kelly read the report indicating that the staff report outlines a request to amend the Sackville Land Use By-Law by rezoning the lands shown on Figure No. 2 from C-2 (General Business) zone to R-2 (Two Unit Dwelling), in order to permit Tri Arm Developments to develop the property for residential purposes.

Councillor MacKay requested that the school board identify, prior to the public hearing, which school the students from this area would attend.

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

"THAT a public hearing be held October 21, 1985 at 7:00 p.m."
Motion Carried.

School Capacity, Sackville

Mr. Kelly read the report.

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

"THAT Council endorse the District School Board's request that the Province release the two first priority schools which are in Sackville from the moratorium and notify the Province accordingly."
Motion Carried.

Forest Hill P.U.D.

Councillor McInroy declared conflict of interest.

Mr. Kelly read the report.

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

"THAT the P.U.D. be lifted in the developed areas as shown on the attached plan, and that a public hearing be held October 28, 1985 at 7:00 p.m."
Motion Carried.

SUPPLEMENTARY REPORT OF THE PLANNING ADVISORY COMMITTEE

Amendments to the Municipal Planning Strategy and Land Use By-Law for Sackville (Lewis Kelly Property)

Mr. Kelly read the report.

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

"THAT option number one to control expanded commercial usages be approved and a public hearing be held October 21, 1985 at 7:00 p.m."
Motion Carried.

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

"THAT a public hearing be held October 21, 1985 at 7:00 p.m. to consider the application by Mr. Kelly to have his land rezoned to C-4."
Motion Carried.

Application No. RA-24-31-85-09 - Rezoning of Lot H-2 and Part of the Remaining Lands of Bar-Shel Foundations Limited

Mr. Kelly read the report.

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

"THAT a public hearing be held October 29, 1985 at 7:00 p.m."
Motion Carried.

Application No. RA-CH/W-49-85-17 - Rezoning of Lot 396-A of the Colby Village Subdivision located at 240 Astral Drive, Cole Harbour

Mr. Kelly read the report.

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

"THAT the property be rezoned from R-1 to P-2 and a public hearing conditional upon a favourable ruling from the School Board be held October 29, 1985 at 7:00 p.m."
Motion Carried.

DIRECTOR OF DEVELOPMENT REPORT

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

"THAT this report be received."
Motion Carried.

EXECUTIVE COMMITTEE REPORT

Lease Agreement

Mr. Kelly read the report advising that the Executive Committee received a report respecting a lease agreement between the Roman Catholic Episcopal Corporation, Halifax and the Municipality to permit establishing a "pocket park" on Sackville Drive.

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

"THAT the lease agreement be approved."
Motion Carried.

Amendment to County Employee Pension Plan

Mr. Kelly read the report stating that the Executive Committee received a report from the Pension Advisory Task Force respecting an amendment to the County Employee Pension Plan.

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

"THAT the amendment to the County Employee Pension Plan be approved."
Motion Carried.

Request for District Capital Grant, District 17

Mr. Kelly read the report.

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

"THAT a District Capital Grant, District 17, in the amount of \$3,000 for fencing of walkways in the District be approved."
Motion Carried.

Request for funds - District 15 Parkland Fund

Mr. Kelly read the report.

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

"THAT an allocation of funds from the District 15 Parkland Fund in the amount of \$6,000 for improvements to the recently acquired Cenitpah Park in Beaver Bank be approved."
Motion Carried.

Resolution, Withdrawal from Special Reserve Fund

Mr. Kelly read the report.

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

"THAT a resolution for withdrawal from Special Reserve Fund in the amount of \$50,000 for the Astral Drive Sewage Flow Diversion be approved."

Motion Carried.

Request for Funding, Dutch Elm Disease

Mr. Kelly read the report.

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

"THAT funding in the amount of \$5,000 for the year 1985 for the purpose of cost sharing with the Department of Lands and Forests be approved."

Motion Carried.

Appointment to the Halifax-Dartmouth Port Development Commission

Mr. Kelly read the report.

Council agreed to request George Richards to present a report at a future Council Session with regard to the Halifax-Dartmouth Port Development Commission.

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

"THAT George Richards be re-appointed to the Halifax-Dartmouth Port Development Commission for a period of three years."

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

"THAT nominations cease."

Motion Carried.

Warden MacKenzie declared Mr. George Richards appointed to the Halifax-Dartmouth Port Development Commission.

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

Service for Sexual Assault Victims Organization

Mr. Kelly advised that the Executive Committee Report, at the September 3, 1985 Session, included a recommendation to Council for approval for a grant in the amount of \$2100 for the Service for Sexual Assault Victims Organization. This item was deferred pending additional information respecting this organization.

Mr. Mason was in attendance to provide additional information respecting this matter. Mr. Mason advised that the Service for Sexual Assault Victims is a twenty four (24) hour seven day week crisis intervention service for female victims of sexual assault living in the cities of Halifax, Dartmouth, Town of Bedford, and the County of Halifax. This organization has been in place for a little over two years. They are funded directly by the Provincial Department of Social Services (75% of their approved budget). Their approved budget is in the range of \$65,000 per year.

In this present year, the Province has funded them to the extent of \$56,000. They receive their other funding from the cities of Halifax, Dartmouth, and the Town of Bedford. In the year 1984, they did receive a grant from the County of Halifax in the amount of \$2,000. They requested, in this present year 1985, a grant in the amount of \$4,400 and a grant was approved at a Executive Committee meeting in the amount of \$2,100. In terms of the services provided to County people, their case load is in the arrange of 300 persons (11%).

Councillor DeRoche inquired what funding comes from the other Municipal units in the area. Mr. Mason advised that the City of Halifax has approved a grant of \$5,200, the City of Dartmouth has approved a grant of \$2,000, and the Town of Bedford has approved a grant in the amount of \$1,000.

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

"THAT a grant in the amount of \$2,100 for the Service for Sexual Assault Victims Organization be approved."
Motion Carried.

APPEALS FOR MINOR VARIANCES (SUPPLEMENTARY AGENDA)

Mr. Kelly read the report advising that appeals for Minor Variance - MV-19-17-85 Thomas Marshall, 14 Cherrywood Drive and MV-20-21-85 Lemont Bartlett, 185 Flying Cloud Drive have been received.

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

"THAT these two appeals for Minor Variances be considered by Council at the October 1, 1985 Session at 7:00 p.m."
Motion Carried.

HEARING - RECOMMENDED HERITAGE PROPERTIES - 7:00 P.M.

Mr. Kelly read the report of the Heritage Advisory Committee. Mr. Kelly introduced Mr. Gary Meade, Chairman of the Heritage Advisory Committee.

As indicated in the report, Mr. Kelly reported that the Heritage Advisory Committee is recommending five (5) properties for registration as Municipal Heritage Property.

Mr. & Mrs. John McLaren, East Chezzetcook

There were no speakers in favour of or opposed to the application. It was moved by Councillor Gaetz, seconded by Councillor Wiseman:

"THAT Mr. & Mrs. John McLaren, East Chezzetcook, property be registered as Municipal Heritage Property."
Motion Carried.

It was noted that the effect of registration is that no demolition or substantial alteration in exterior appearance may be undertaken without the approval of Council.

United Church of Canada, Cole Harbour (Rural Heritage Society)

There were no speakers in favour of or opposed to the application.

Councillor Snow related to Council that Ira Settle has no objection to this property but wishes that it be registered as the Cole Harbour Meeting House rather than the United Church of Canada, Cole Harbour.

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

"THAT the Cole Harbour Meeting House, Cole Harbour, be registered as Municipal Heritage Property."
Motion Carried.

Middle Musquodoboit Agricultural Society, Middle Musquodoboit

There were no speakers in favour of or opposed to the application.

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

"THAT the Middle Musquodoboit Agricultural Society property, Middle Musquodoboit, be registered as Municipal Heritage Property."
Motion Carried.

Mrs. Agnes Kelly, 991 Windsor Junction Cross Road

There were no speakers in favour of or opposed to this recommendation.

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

"THAT Mrs. Agnes Kelly, 991 Windsor Junction Beaverbank Cross Road, Property be registered as Municipal Heritage Property."
Motion Carried.

Canadian Industries Ltd. Inc., Waverley

Mr. Peter McDonough indicated his opposition to the registration of these lands under the Heritage Property Act as owned by C.I.L. The lands are located in the Rocky Lake area of the County of Halifax.

Mr. McDonough explained their understanding as to how the Heritage Advisory Committee had this matter of designating the C.I.L. properties brought to them. It is their understanding that a request was made to the Heritage Advisory Committee by Mr. John Hartlen and Mr. Keith MacLean. He noted that neither of these gentlemen own the land but they made representation to the Heritage Advisory Committee. As part of their submission to the Committee, Mr. McDonough stated that they included a sketch plan as prepared by John Hartlen. This plan was circulated to members of Council. Mr. McDonough outlined the lakes in blue and identified lot 1 and lot 7 in red.

Mr. McDonough indicated that this sketch shows the existing explosive storage sites on the property together with those sites that were formally occupied by the Acadia Powder Company and presumably it's those sites that the gentlemen are interested in having designated. He stated that they feel it is the relationship of the old Acadia Powder Company to this piece of land that gives it its heritage value.

Mr. McDonough pointed out that C.I.L. has received notification from the County that four of their properties were to be designated. Mr. McDonough indicated that there are no historic sites contained on two of the properties. He explained that one of the properties is an island and has no historic sites on it. The other assessment roll number contained two properties (lot 1 & 7). Mr. McDonough advised that Lot 1 and Lot 7 do not contain any heritage property or heritage reason for being designated. He noted that Lot 1 does identify an existing explosive storage site but it does not have any relationship to the old Acadia Powder factory.

Mr. McDonough made reference to the map identifying the remaining properties between Lots 1 and 7. Mr. McDonough indicated that the property to the left of Route No. 2 has existing on it an old stone building. It is used by C.I.L. for the storage of their old files. The important point Mr. McDonough stated is the fact that immediately adjacent to that building there are two new steel buildings that are presently being used for the storage of detonators. The storage of explosive materials in Canada is covered by a Federal statute (The Explosive's Act of Canada). It contains all the safety requirements. To protect the public, Mr. McDonough explained that Section 18 of that Act makes it an offense for unauthorized people to be in and about a building that is used to store explosives. He went on to state that we have a potentially heritage building adjacent to two buildings that are presently being used to store explosives. There are signs on the site saying no trespassing. It would seem to designate that building as a heritage building is in effect some kind of an invitation to the general public to come out and look at the building. Mr. McDonough reported that the same situation prevails exactly on the right hand side of the road.

There is also an added reason why they feel the site on the right of the highway should not be designated. He circulated pictures of the property and indicated that what is left of the old Acadia Powder Company is really just a pile of rubble now. There is one other property at the right hand end of the Powder Mill Lake.

Councillor Larsen inquired if Mr. McDonough had any solutions or recommendations as to how the preservation of these sites could be maintained. Mr. McDonough explained that the designation gets registered against the land. He did not feel that there was any historic merit to the property on the right hand side of the highway at all. Mr. McDonough indicated that they have no intention to tear that building down. The Company has authorized him to say that they certainly would consider erecting some type of a monument to indicate the former location of the Acadia Powder Company.

Councillor Snow inquired if C.I.L. would be moving their explosives to the right side of Rocky Lake. Mr. McDonough advised that this was correct and stated that they intend to move that explosive site down to the land that is identified to the land that is identified to the right hand side of the road.

Councillor Snow felt that it is sad to hear people say that the property is of no historical value pointing out that men died there.

Mr. John Hartlen indicated his desire to speak in favour of the recommendation. He advised that he has spent time researching the history of the Acadia Powder Mill at Waverley. Mr. Hartlen indicated that it is a major industrial monument or relic and the nature of powder making does make it difficult to ascertain which portions of the property are of a significant industrial or historical merit.

Mr. Hartlen circulated pamphlets with regard to the Acadia Powder Mill and gave a history of the Company. The brochures explained the significance of the properties and the historical merit of the property. Mr. McDonough advised that he hopes that C.I.L. might take an interest in salvaging some part of this property and do something with it that would mark it as an historical relic.

Councillor Mont made reference to Mr. McDonough's map noting that there are several lots under consideration one being Big Island. Mr. Hartlen agreed that the Island in Rocky Lake does not have a need to be included as a Municipal Heritage Property. Councillor Mont also inquired about Lot 1 and Lot 7. Mr. Hartlen agreed that Lot 7 had no historical value. Councillor Mont also expressed concern with regard to persons visiting existing sites where explosives are being kept. Mr. Hartlen felt that if the property is not fit to be declared as a heritage site than it is not suitable for any other use other than storage of explosives. Mr. Hartlen felt that it would be a shame if the entire property were unloaded for commercial and industrial uses.

Warden MacKenzie inquired if the Heritage Committee had negotiations with the owners of the properties as well as with people from the area. Councillor Reid advised that C.I.L. made a submission to the Heritage Committee asking that the property not be designated. It was the vote of the Heritage Committee to do so.

Councillor Wiseman inquired as to how old the existing stone building was. Mr. Hartlen reported that the oldest building was built in the period of 1877-1879. The other building dates around 1884. Members of Council continued to discuss the portions proposed to be designated as heritage property.

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

"THAT this item be referred back to the Heritage Advisory Committee for further discussion."
Motion Carried.

Councillor Mont advised that he received a copy of the notice for proposed recommendation for registration in the Municipal Heritage Registry that went out addressed to the United Church of Canada, 471 Poplar Drive. It was noted that the notice appears to be incorrect. Councillor Mont advised that the Cole Harbour Meeting Place is not located at 471 Poplar Drive.

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

"THAT the motion to register item (b) a Municipal Heritage property be rescinded."
Motion Carried.

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

"THAT item (b) be referred back to the Heritage Advisory Committee."
Motion Carried.

BUILDING INSPECTORS REPORT (SUPPLEMENTARY AGENDA)

Mr. Meech advised that approval is recommended for lesser setback of 6.02'. Property located at Hammonds Plains. Applicant Fitz's Construction Ltd. The reason for this request is because the alignment of the highway in relation to this lot.

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

"THAT the lesser setback of 6.02' be approved."
Motion Carried.

Mr. Meech advised that approval is recommended for a lesser setback relative to property located at Prospect Bay in the ownership of Joseph Power for a setback to 7' be approved.

Councillor Gaudet indicated that he was not consulted on this matter and; therefore, requested that this lesser setback be deferred to the next Council Session.

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

"THAT the request for a lesser setback of 7' be deferred to the next Council Session."
Motion Carried.

Mr. Meech advised that there is also a report and recommendation from the Chief Building Inspector for approval of lesser side yard clearance of 17'. Property 29 Mandaville Court, Upper Sackville. Applicant Anna Marie MacDonald.

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

"THAT the lesser side yard clearance of 17' be approved."
Motion Carried.

RESOLUTION RE, AMENDMENTS TO THE HALIFAX COUNTY PENSION PLAN

Mr. Kelly read the report stating that the following amendments to the Halifax County Pension Plan were approved at a Management Committee meeting of April 12, 1984. Mr. Fawson, in his report, stated that these amendments were not approved; therefore, it is recommended that Council ratify the approval to the amendments to the Pension Plan.

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

"THAT the Adhoc cost of living increases for those people on pension effective January 1, 1984 and January 1, 1985 at 5 percent for each of the two years and an increase in the minimum pension payable to pensioners effective January 1, 1984 from \$70.00 to \$90.00 per month be approved."
Motion Carried.

AGREEMENT, SHEET HARBOUR ELEMENTARY SCHOOL, ADDITION AND ALTERATIONS

Mr. Kelly advised that they have received from the Department of Education an agreement between the Minister of Education, the Minister of Government Services, the Halifax County Bedford District School Board, and the Municipality of the County of Halifax with respect to certain additions and alterations to the Sheet Harbour Elementary School.

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

"THAT the Agreement respecting the Sheet Harbour Elementary School (addition and alterations) be approved."
Motion Carried.

METROPOLITAN AUTHORITY REPORT - COUNCILLOR MACDONALD

Councillor MacDonald advised that a proposal was made to the Union of Nova Scotia Municipalities with regard to the take over of the ownership and operation of the correctional center. Mr. Meech reported that, in terms of distributing the Municipal portion across the Province, the formula will be on the basis that 50 % of the Municipal contribution will be calculated on the basis of ability to pay and the other other 50% will be based on dwelling unit counts.

Mr. Meech further advised that it does provide some protection to the Municipalities in that the annual increase to that amount can be no greater than the increase that the Province allows for the operating grants to Municipalities. The intent is that the Municipalities will be paying a financial contribution for some years. Mr. Meech went on to report that it is understanding that our costs will remain fairly constant as to what they were based on that report in 1984. It was Mr. Meech's understanding that the proposal was endorsed by Cabinet and the Union took a vote and it was passed.

GARBAGE COLLECTION - COUNCILLOR BAKER

Councillor Baker advised that he was questioned by two contractors regarding pay for extra houses that are being built. It was his understanding that there was provision in the contract that the contractors would be paid for additional houses on a percentage basis. Councillor Baker reported that Mr. Wdowiak indicated to him that a projection was made three years ago. Mr. Meech indicated that it was his understanding that based on the number of building permits, once a year we would update the number of collections on the basis of that. He further stated that that was not in the contract to his surprise and agreed that there should be that kind of mechanism in the contract to give them some additional remuneration for the number of units. Mr. Meech advised that it is his intent to incorporate that in the contract.

NON-CONFORMING USES - COUNCILLOR MACKAY

Councillor MacKay noted that he has had some concern in his district lately with regard to non-conforming uses. Councillor MacKay inquired under non-conforming where you would have an existing two unit dwelling with an R-1 Zone on it or a four unit dwelling with an R-2 or an R-4 Zone on it to what degree of repairs or alterations can you make. Mr. Cragg advised that destruction or damage, where it is less than 75% of the market value, you can undertake repairs and if it is destroyed or damaged to an extent which is greater than 75% of the market value it can only be rebuilt or repaired in conformity with whatever zoning the land use by-law has provided for that area. Mr. Birch advised that, in the case of a pitch roof, you are increasing the volume of the building and creating an attic. In terms of replacing a normal pitched roof than you can go ahead and replace it. Mr. Meech agreed to examine that section of the by-law.

AGENDA ITEMS

a) Councillor Gaetz - Parkland Fund

Councillor Gaetz requested that consideration be given for a \$1500 allocation from the District 9 parkland fund for a park that is situated next to the Fire Hall in Chezzetcook.

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

"THAT a District 15 parkland fund in the amount of \$1500 be approved."
Motion Carried.

b) Senior Citizens - Councillor Adams

Councillor DeRoche, on behalf of Councillor Adams, reported that Councillor Adams has been approached by a number of residents in the Lake Echo area with a growing concern for accommodation of senior citizens in that community.

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

"THAT the NS Department of Housing be requested to carry out a need survey for a senior citizens housing unit in the community of Lake Echo."

Councillor McInroy declared conflict of interest."
Motion Carried.

c) Deputy Warden Walker - Request for Senior Citizens Unit, Boutilier's Point

Councillor McInroy declared conflict of interest.

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

"THAT further communication be sent to the Department of Housing pointing out that a separate senior citizens is requested for Boutilier's Point and there is sufficient support to justify the request."
Motion Carried.

Warden MacKenzie requested that Mr. Kelly follow up on the need and demand study for Moser River.

d) Councillor Gaudet - Dangerous Turn, West Dover

Councillor Gaudet expressed concern with regard to a very dangerous turn in West Dover. Councillor Gaudet suggested that either an amber flashing light be installed or a slow sign (Children at Play) be placed in the area.

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

"THAT a letter expressing Councillor Gaudet's concerns be forwarded to the Department of Transportation with a copy to the MLA for the area."
Motion Carried.

e) Councillor Gaudet - Atlantic Winter Fair

Councillor Gaudet expressed concern with regard to the Bingos held at the Atlantic Winter Fair. He indicated that Bingos held at halls within his District have been a source of income to provide recreation and entertainment for young people. Since the opening of Bingos at the Atlantic Winter Fair, organizations find themselves operating at large deficits. He stated that it is hardly possible for the organizations to continue their operation.

Mr. Meech suggested that a presentation be made to the Board of Directors for the Atlantic Winter Fair pointing out what implications the Bingos have had on the local areas and request that they consider that they share the proceeds.

Councillor Larsen, Councillor Poirier, and Deputy Warden Walker concurred with Councillor Gaudet's concern.

IN-CAMERA ITEM

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

"THAT Council go in-camera."
Motion Carried.

The Committee agreed to come out of camera.

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

"THAT the Appeal in connection with the Halifax City action on those annexed lands be withdrawn."
Motion Carried.

ADDITION OF ITEMS TO THE OCTOBER 1, 1985 COUNCIL SESSION

None.

ADJOURNMENT

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

"THAT Council adjourn."
Motion Carried.

PUBLIC HEARING

SEPTEMBER 23, 1985

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Walker
Councillor Poirier
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 Eisenhower
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. G. J. Kelly, Municipal Clerk
Mr. R. Cragg, Municipal Solicitor
Mr. Bill Butler, Senior Planner

SECRETARY: Margaret MacDonell

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 Deveaux:

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

APPLICATION NO. RA-EP/CB-29-85-06

Mr. Butler presented the application by William Nieforth to rezone a property located at the corner of Caldwell road and Shore Road in Eastern Passage from R-2 (Two Unit Dwelling) Zone to R-3 (Mobile Dwelling) Zone. The purpose of the application is to permit the relocation of the applicant's mobile home, which is presently located at Ocean View Estates (mobile home park).

Mr. Butler outlined the Staff Report and stated that the Department of Planning and Development recommends approval of the application.

Mr. Butler advised that no correspondence has been recieved either in favour of or opposed to the application.

SPEAKER IN FAVOUR OF APPLIICATION RA-EP/CB-29-85-06

Mr. Osborne indicated his desire to speak in favour of the application on behalf of his son Mr. Derek Osborne.

Mr. Osborne advised that the property in question has been family property for a number of years and was given to Derek Osborne and his wife as a wedding gift. He further advised that there are other mobile homes close to the subject property which are lived in by relatives.

Mr. Osborne presented a petition to the Warden with approximately fifty signatures indicating their favourable support for the application.

SPEAKER IN OPPOSITION TO APPLICATION RA-EP/CB-29-85-06

None.

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

"THAT the rezoning of Lot WN-1 of the lands of William Neiforth, located at the corner of the Caldwell Road and Shore Drive at Eastern Passage, from R-2 (Two Unit Dwelling) Zone to R-3 (Mobile Dwelling) Zone be approved."
Motion Carried Unanimously.

PLAN AMENDMENT - EASTERN PASSAGE/COW BAY

Mr. Butler presented the amendments to the Eastern Passage/Cow Bay Planning Strategy which would permit the extension of services and continued development of existing mobile home parks beyond the Municipal Service Boundary.

Mr. Butler advised that an application has been received from the owner of the Greenridge Mobile Home Park on the Caldwell Road in Eastern Passage for permission to add an additional 12 spaces to his park. It was noted that the intent of the Eastern Passage plan is not to permit new mobile home parks but the expansion of existing parks may be considered by development agreement.

The Staff Report indicates that the Greenridge park is presently connected to municipal services despite the fact that it lies completely outside of the serviceable boundary which defines the extent to which such services will be extended. The Department of Engineering does not support the proposed expansion because it is beyond the serviceable boundary. The amendments attached to the Staff Report maintain the present policy of permitting expansions only to existing parks which are connected to municipal services, but clearly state that such expansions may be considered outside of the serviceable boundary. Mr. Butler explained that no actual amendment to the serviceable boundary would be necessary and, as with existing policy, expansions would be considered by development agreement.

QUESTIONS FROM COUNCIL

None.

SPEAKERS IN FAVOUR OF THE PLAN AMENDMENT - EASTERN PASSAGE/COW BAY

None.

SPEAKERS IN OPPOSITION TO THE PLAN AMENDMENT - EASTERN PASSAGE/COW BAY

None.

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

"THAT the amendments to the Eastern Passage/Cow Bay Planning Strategy which would permit the extension of services and continued development of existing mobile home parks beyond the Municipal Service Boundary be approved."
Motion Carried Unanimously.

ADJOURNMENT

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

"THAT the Public Hearing adjourn."
Motion Carried.

COMMITTEE OF THE WHOLE

SEPTEMBER 26, 1985

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

ALSO PRESENT: Mr. R. Cragg, Municipal Solicitor
Mr. G. J. Kelly, Municipal Clerk

SECRETARY: Margaret MacDonell

APPOINTMENT OF RECORDING SECRETARY

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

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

A BY-LAW RESPECTING A UNIFORM CLOSING DAY FOR RETAIL BUSINESSES

The special Committee of the Whole Meeting this evening was called in connection with Bill #70, An Act Respecting a Uniform Closing Day for Retail Businesses, which was passed by the Legislature this year. Copies of the Bill #70, the proposed by-law and correspondence from Halifax-Dartmouth Council of Churches has been forwarded to members of Council for their information.

Mr. Kelly advised that the Bill generally provides that no person shall, on a uniform closing day, sell, offer for sale, or purchase any goods or services by retail or admit the public to any premises where a retail business is carried on. Mr. Kelly went on to review certain aspects of the proposed By-Law. Mr. Kelly indicated that it is

Council's intention to consider the adoption of a By-Law at the next Council Session.

Mr. Kelly read a letter addressed to the Warden dated September 12, 1985 from the Sackville Chamber of Commerce. The letter stated that, at a meeting of the Council of the Sackville Chamber of Commerce, the following motion was presented: "The Executive of the Sackville Chamber of Commerce believes that as members and other members of the business community of Sackville should have the right of choice whether to open or close in relation to Bill #70". It was advised that this motion was approved unanimously by the members present.

PRESENTATION BY THE SACKVILLE CHAMBER OF COMMERCE

Sharyn Adams, Vice-President of the Sackville Chamber of Commerce, made a presentation to Council on behalf of the Sackville Chamber of Commerce. Members of Council received copies of the Presentation by the Sackville Chamber of Commerce regarding Bill #70. Ms. Adams read the presentation and stated that the Sackville Chamber of Commerce strongly recommends that Council enact such a by-law that ensures business the right of choice.

QUESTIONS FROM COUNCIL

Councillor Deveaux inquired if Ms. Adams had spoken to a number of the business people to determine their views with respect to this matter. Ms. Adams advised that the consensus would come from their own organization, Sackville Chamber of Commerce, which she feels represents a fairly broad spectrum of business in Sackville. She further advised that their recommendation was highly supported.

Councillor MacKay noted that, besides the Chamber of Commerce at their Executive meeting and their regular meeting, the Mainstreet Program sent a letter to all the businesses on Sackville Drive advising all the businesses of what the proposal was. He felt that most of them were either in attendance or submitted their point of view to the Chamber of Commerce. Ms. Adams advised that there did not appear to be any negative comment back to the Mainstreet Co-ordinator as a result of her circulation of that proposal.

Councillor MacDonald inquired, if a by-law is passed, would the businesses in that particular area where the by-law has been passed have to have a permit to open. Mr. Cragg advised that it would be those businesses set forth in Section 4 (1) of the Bill itself and further stated that those businesses set forth in Section 3 (2) are not effected.

Councillor Margeson inquired if there was discussion on what a permit should cost. Ms. Adams indicated that there was discussion on what a permit should cost and it was felt the fee should be in the neighbourhood of ten dollars which would probably just cover the cost of the various paper work that would be involved.

PRESENTATION, CHRISTENE SWICKER, MALL MANAGER, DOWNSVIEW MALL

Ms. Swicker read a letter which she circulated to the tenants for their endorsement. The letter requested that Halifax County Council enact a by-law which will give retailers freedom of choice for opening hours. Ms. Swicker presented a copy of this letter to Warden MacKenzie.

QUESTIONS FROM COUNCIL

Councillor Wiseman inquired as to what Ms. Swicker's opinion would be respecting the impact of the uniform closing by-law would be on Sackville and the businesses that are within the Mall. Ms. Swicker noted that they serve a particular community which commutes and requires extended shopping hours which not only serves their immediate market area but also helps them to draw in other customers from the Halifax area where they are no services. She felt that if holiday hours are cut out which are in place now, that they would be undercutting their customers and their community. Ms. Swicker suggested a nominal permit fee.

Councillor Mont suggested that the County be designated as a tourist area and Ms. Swicker agreed that that would be the solution in order to include all the businesses in the Mall.

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

"THAT Council recommend at the October 1, 1985 Council Session that Halifax County be declared a tourist zone and recommend passage of the draft by-law."
Motion Carried Unanimously.

Councillor MacKay requested that Staff between now and the October 1, 1985 Council Session put forth some type of recommendation, with respect to what fee would be charged for permits, and addressed at the Council Session.

ADJOURMENT

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

"THAT the Committee of the Whole Session adjourn."
Motion Carried.