

Councillors
Dec. 5/85
Page 2

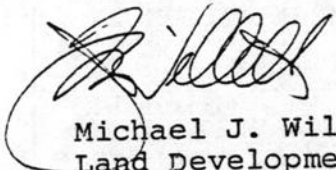
At this time, we are requesting, that, either:

- 1) This amendment be returned to staff for further detailed review considering all matters related to both planning and engineering concerns.
- 2) If Council approves this amendment, the frontages of both Lot A-10 and C-5 be exempted from these restrictions.
- 3) Do not amend the Cole Harbour Plan, but consider each project on its own merit, related to proper access and egress design and controls.

We thank you for the opportunity to present our submission.

Yours truly,

CLAYTON DEVELOPMENTS LIMITED



Michael J. Willett
Land Development Manager

MJW/js



October 2, 1985

Department of Transportation
P.O. Box 739
Bedford, Nova Scotia

Attention: Mr. Martin Delaney

Dear Mr. Delaney:

Enclosed please find a site plan for Lot A-10 at Cole Harbour Road and Cumberland intersection.

We are presently dealing with a purchaser for all or a portion of this site and request approval of the driveway locations as shown. Please note that the driveway from Cumberland Drive would be one way only (right in).

If you require further information, please do not hesitate to call.

Yours truly,

CLAYTON DEVELOPMENTS LIMITED

Dale Eastman
Dale Eastman
Development Planner

DE/js

Enclosure

*See called Ralph Hession
Nov 28/85. He should
be back in office
Nov 29/85. I will call
I called Martin Friday Nov 29/85.
He is to get back to me.*

*This was forwarded
to Ralph Hession
Downtown office
will be another 2 weeks
for an answer.
- Dale
Nov. 7/85
call Nov 22*

Message

Date 11/22/85 Time 40
To Hale
WHILE YOU WERE OUT
of Martin Delaney
11/22/85

Telephoned	<input checked="" type="checkbox"/>	Please call
Called to see you	<input type="checkbox"/>	Will call again
Wants to see you	<input type="checkbox"/>	Returned your call

MESSAGE NO. 11/22/85
for letter to be returned to C.C.
W.A. Hession - NO. 29/85
is to be returned to Hession and
is to be returned to Hession and
Operator 11/22/85 URGENT

CANADIAN
INDEPENDENT
STATIONERS
36 LOCATIONS
ACROSS CANADA
Stock: 074-24

Administration 434-2330
Colby Village 434-1260
Clayton Park 443-3052

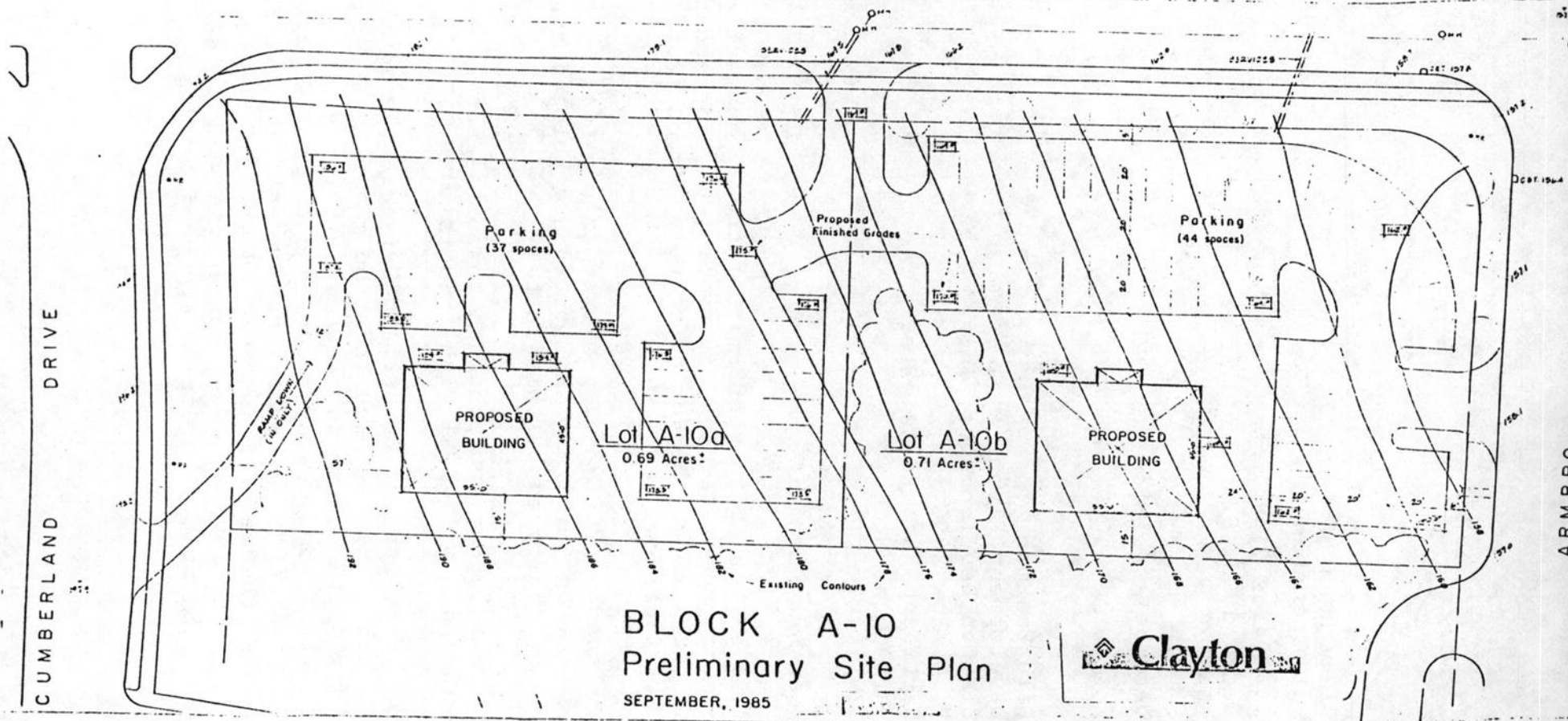
Clayton Developments Ltd.
Clayton Realty Ltd.

P.O. Box 2698
Dartmouth East Postal Station
Dartmouth, Nova Scotia
B2W 4R4

COLE

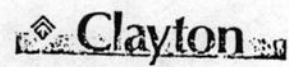
HARBOUR

ROAD



BLOCK A-10
Preliminary Site Plan

SEPTEMBER, 1985



Nova Scotia



**Department of
Transportation**

P. O. Box 214
Bedford, N. S.
B4A 2X2

December 5, 1985

Dale Eastman
Development Planner
Clayton Developments Limited
P. O. Box 2698
Dartmouth East Postal Sta.
Dartmouth, N. S.
B2W 4R4

Dear Mr. Eastman:

This letter is to confirm that the Department of Transportation has now completed its review of your proposed access locations to Lot A-10 at the corner of Cole Harbour Road and Cumberland intersections.

On December 3, 1985 I reviewed this proposal with Leo Brookes of Clayton Developments Limited and pointed out our position as now confirmed by this letter.

In your letter you proposed three (3) access locations to Lot A-10 and I will deal with them in turn:

- 1) An access off Cumberland Drive at the southend of the lot. The proposed location meets this Department's stopping criteria; however, it is felt that this access should be a 2-way access and therefore, will have to be re-designed to intersect Cumberland Drive at more-or-less 90° (between 70 and 90°) to allow for safe movement of traffic. This may require enlarging this lot in the south side in order to accommodate this driveway.

.... 2

DEC 05 1985

... 2

- 2) Proposed Driveway #2 was to service lot A-10 from the Cole Harbour Road. The proposed driveway location on Cole Harbour Road does not meet our stopping sight criteria and, indeed, a location along the Cole Harbour Road to service this lot could not be identified.

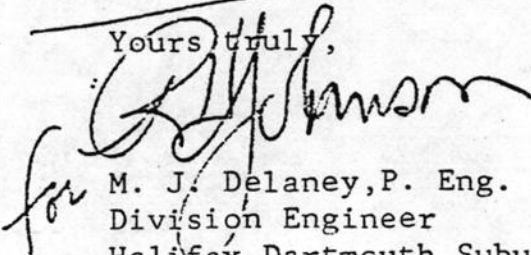
As a result, an access to Cole Harbour Road is not approved.

- 3) The access to Lot A-10 from Armbro Lane meets our stopping sight distance requirements.

In summary then, access to the Cole Harbour Road has been denied and access to the lot from Cumberland Drive and Armbro Lane will be permitted at the locations submitted subject to approval of detailed drawings of these access locations which could be submitted at the Building Permit stage.

I trust you find this information helpful.

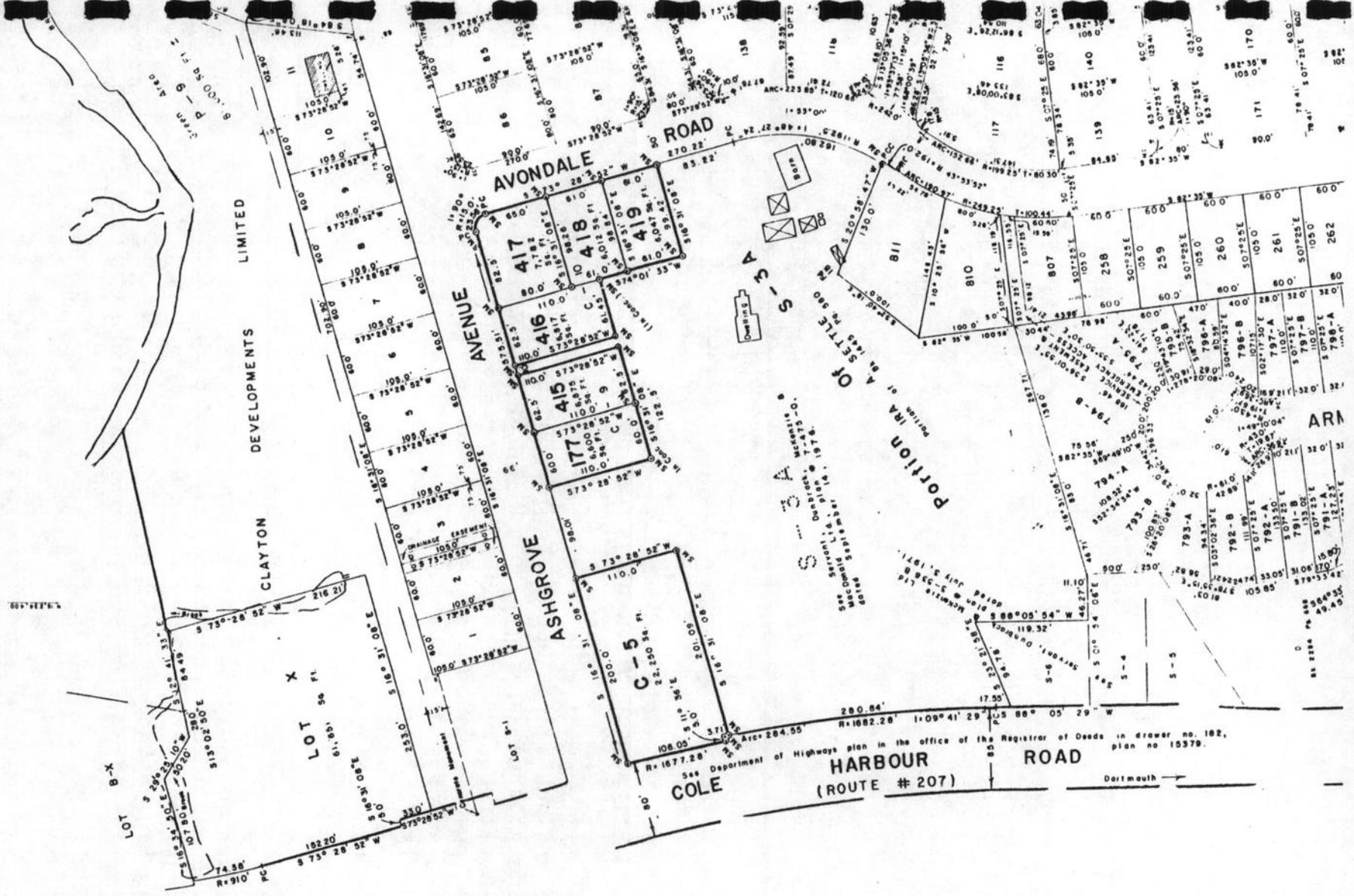
Yours truly,

for 

M. J. Delaney, P. Eng.
Division Engineer
Halifax Dartmouth Suburban

MJD/nk

c.c. RM - Central



LOT B-X

LOT X
61,891 Sq Ft

LOT 1-10

ASHGROVE AVENUE

AVONDALE ROAD

COLE HARBOUR ROAD
(ROUTE # 207)

PORTION OF SETTLEMENT S-3-A

PORTION OF SETTLEMENT S-3-A

ARM

See Department of Highways plan in the office of the Registrar of Deeds in drawer no. 182, plan no 15379.

D15A

STAFF REPORT

TO: Planning Advisory Committee

FROM: Dept. of Planning & Development C.A.O.

APPLICATION NO: RA-24-51-85-12

DATE: September 25, 1985


DIRECTOR

RECOMMENDATION:

THAT THE ZONING OF LOT B OF THE MILL LAKE TRANSPORT LTD. SUBDIVISION, LOCATED ON HIGHWAY 224 AT UPPER MUSQUODOBOIT, FROM AN UNZONED STATUS TO SD (SALVAGE YARD AND DUMP) ZONE BE APPROVED BY MUNICIPAL COUNCIL.

Information:

An application has been submitted by Mr. Stephen Atwood of Upper Musquodoboit to zone the property identified in Figure 2 (p 4) to the SD (Salvage Yard and Dump) Zone. The purpose of this zoning is to accommodate an auto salvage yard.

The SD (Salvage Yard and Dump) Zone is required to operate a salvage yard under Zoning By-law No. 24. Municipal approval is required by the Public Utilities Board in order to issue an operating license under the Salvage Yards Licensing Act.

Description:

Location: As shown in Figure 1 (p 3)
Area: Approximately 1.34 acres
Dimensions: As shown in Figure 2 (p 4)
Surrounding Uses: As shown in Figure 2 (p 4)

ANALYSIS

The Salvage Yards Licensing Act and Zoning By-law No. 24 establish basic requirements for the operation and maintenance of salvage yards. A salvage yard license is only issued by the Public Utilities Board after an assessment of the proposed site is conducted and certain conditions are met. The site must be at least 500 feet from a public facility, be adequately screened and out of sight from the travelling public, and have the approval of the local municipal authority. In addition, the license can contain any stipulations as may be required by the Departments of Transportation, Health or Environment.

The Public Utilities Board has indicated it will grant approval of a salvage yard license for this site subject to municipal approval.

As a condition of the license, an 8 foot high fence must be provided as shown in Figure 3 (p 5). The fence will commence at the existing garage on the property which is approximately 110 feet from the public highway, and will run 90 feet on the west side of the lot and 150 feet on the east side. The fence dimensions have been specifically laid out by the Public Utilities Board so that the salvage yard will be screened from the highway and adjacent dwellings.

The Departments of Health, Environment and Transportation have stated that they have no objection to the use of this property as a salvage yard, nor have they stipulated any requirements for issuing the license.

The SD (Salvage Yard and Dump) Zone requires that the salvage yard be contained on a lot which is at least one acre in size. The zone also requires that the salvage yard be both adequately screened from the highway and that no salvageable material be stored within 50 feet of it. All of these conditions have been or will be met.

Figure 1

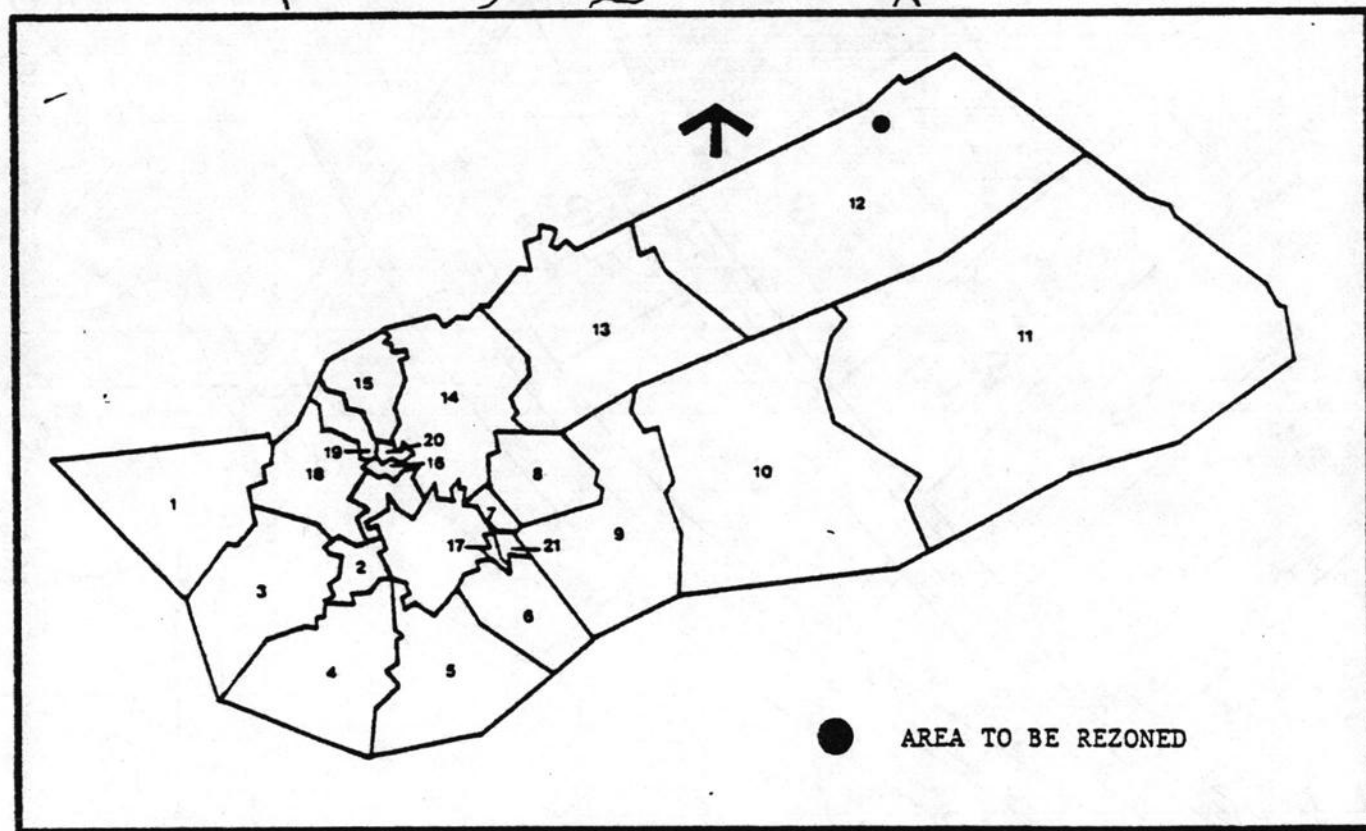
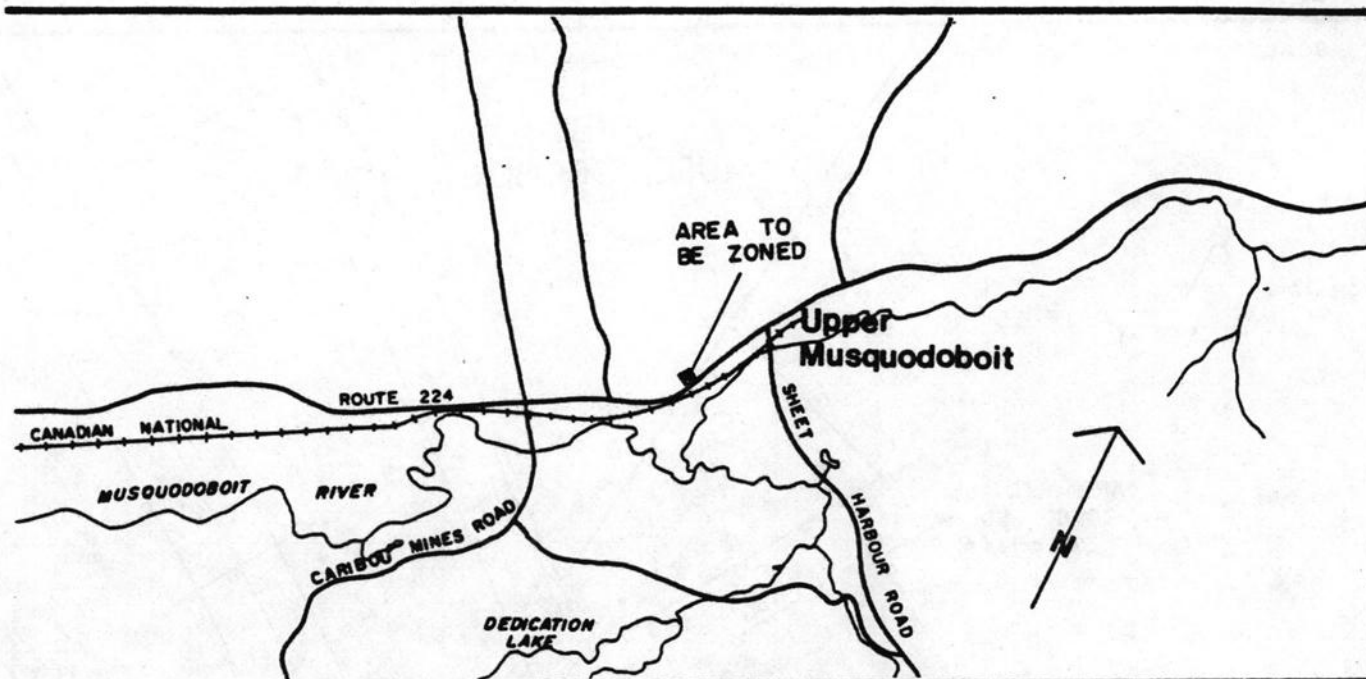


Figure 2

S- SINGLE UNIT DWELLING

G- STORAGE GARAGE

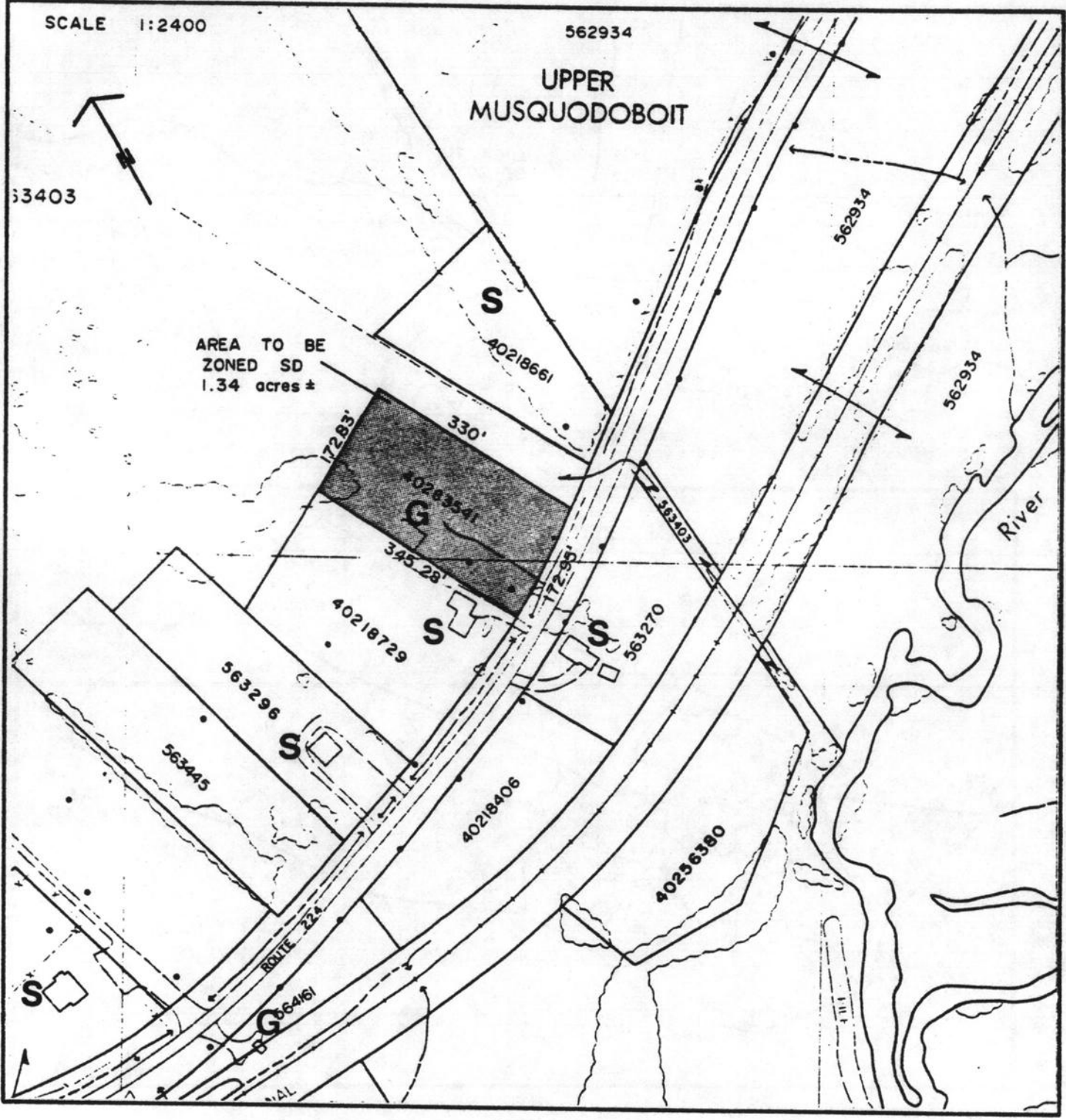
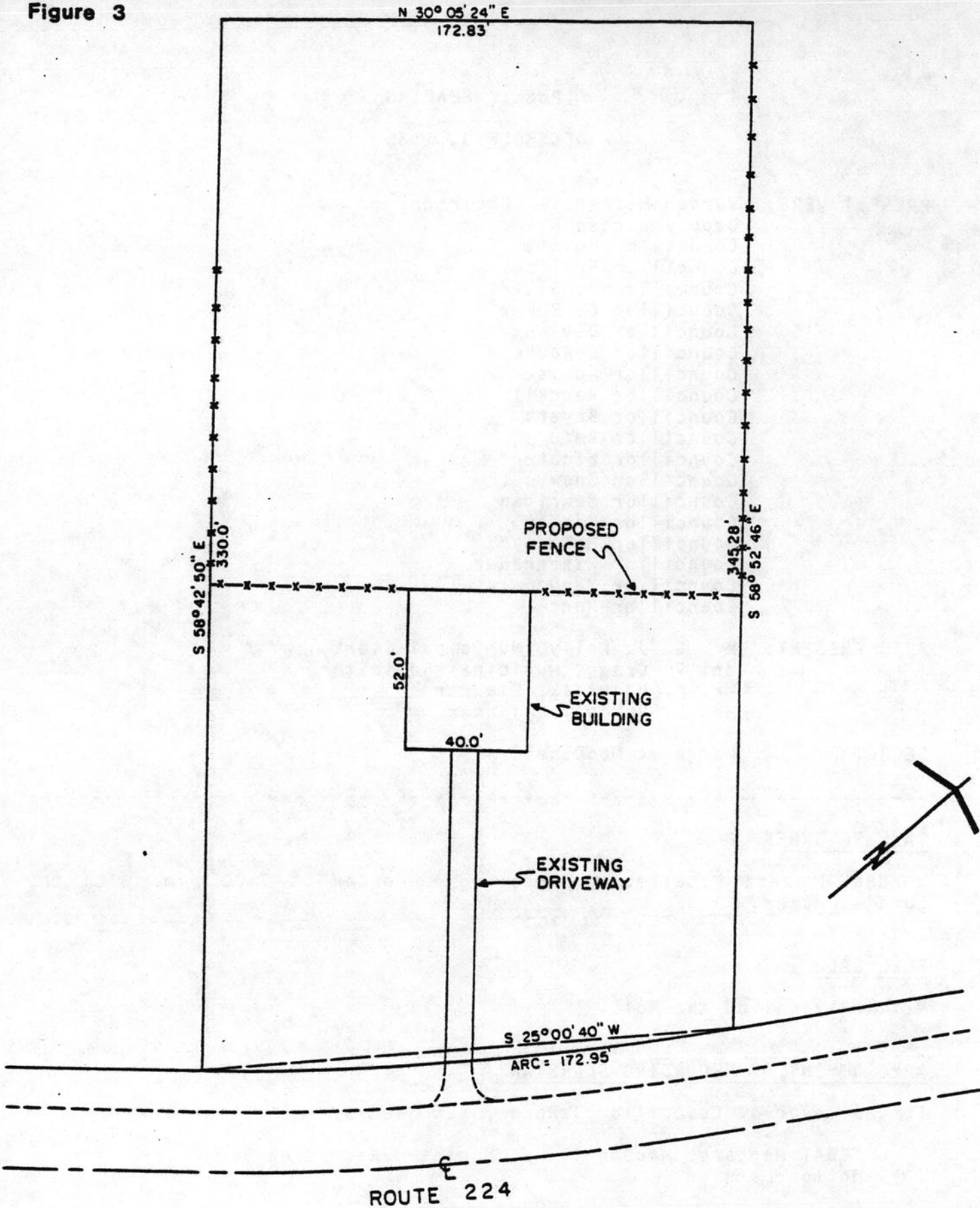


Figure 3



SCALE 1" = 40'

PUBLIC HEARING

DECEMBER 9, 1985

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Wiseman
Councillor Poirier
Councillor Fralick
Councillor P. Baker
Councillor C. Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Merrigan
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Mont

ALSO PRESENT: Mr. G. J. Kelly, Municipal Clerk
Mr. R. Cragg, Municipal Solicitor
Mr. M. Hanusiak, Planner
Mr. M. Purcell, 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 Recording Secretary."
Motion Carried.

APPLICATION NO. ZA-TLB-54-85-02

Mr. Hanusiak pointed out that Figure No. 3 of the report shows lots 300 and lots 301 which are actually the lots in questions. However, Mr. Hanusiak explained that the advertisements and throughout the report Staff makes mention of lots 301 and 302 and in fact it was lots 300 and 301 which were the subject of this amendment. In the advertisement that went into the paper it indicated that lots 301 and 302 were the subject of the rezoning. It did, however, clearly indicate the land registration information service index numbers which were the correct ones. Mr. Hanusiak inquired whether Council is in a position to hear the public hearing either in whole or in part or whether or not it need to be readvertised.

Mr. Cragg advised that the two lots which are shown on the plan as 300 and 301 are the two that we wished to deal with. The six digit numbers underneath them are the LRIS numbers. Mr. Cragg advised that those are the correct LRIS numbers for those two lots. He further stated that those were the LRIS numbers included in the advertisement. The only thing that was incorrect was describing them as 301 and 302 instead of 300 and 301.

In looking at the Act, Mr. Cragg advised that it refers to what must be in the advertisement. It says "the ad shall describe the plan in area by meets and bounds by a plan, map, or sketch and by other descriptions adequate to identify the area". From a technical stand point, Mr. Cragg indicated that one could suggest that because we had one number correct and another one incorrect, there may be sufficient confusion in the minds of an interested person or persons and we, therefore, should readvertise. It was Mr. Cragg's opinion, since we had no inquiries one way or the other pro or con, since there was no one in attendance involved in those lots, and because we had the correct LRIS numbers, that we could proceed.

Councillor Mont expressed difficulty with dealing with the hearing.

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

"THAT the items be readvertised."
Motion Carried.

APPLICATION NO. RA-CH/W-58-85-21

Mr. Hanusiak indicated that the application is by Mr. Troy Myers to rezone Lot F of the lands of the Anglican Church of Canada from P-2 (Community Facility) Zone to an R-1 (Single Unit Dwelling) Zone. The P-2 Zone was applied to the lot in support of a proposed church. The owner of the lot, the Anglican Church of Canada, has agreed to sell it to Mr. Myers subject to it being rezoned R-1. Mr. Hanusiak advised, as stated in the staff report, if developed to its full potential, and assuming satisfactory percolation rates, the lot could accommodate eleven single unit dwellings.

Mr. Hanusiak outlined the staff report and recommended approval of the application.

Speakers in Favour of the Application

None.

Speakers in Opposition to the Application

None.

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

"THAT Application No. RA-CH/W-58-85-21 be approved."
Motion Carried Unanimously.

APPLICATION NO. RA-TLB-64-85-02

Mr. Hanusiak stated that the application is a request by Mr. Charles Sawler to rezone Lot A of the lands of Mrs. E. Nicholson, located at 26 Nicholson Drive in Lakeside, from R-1 (Single Unit Dwelling) Zone, to R-2 (Two Unit Dwelling) Zone. A single unit dwelling is presently being constructed on the property. The purpose of the rezoning is to permit the basement of the house to be converted to separate living quarters.

Mr. Hanusiak outlined the staff report and recommended approval of the application.

SPEAKERS IN FAVOUR OF THE APPLICATION

NONE.

SPEAKERS IN OPPOSITION TO THE APPLICATION

NONE.

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

"THAT Application RA-TLB-64-85-02 be approved."
Motion Carried Unanimously.

APPLICATION NO. RA-SA-57-85-16

Mr. Purcell presented the application.

Mr. Purcell advised that the lot is located at 57 Raymond Drive in Lower Sackville. The application is by Dr. William Camp for a rezoning from R-1 (Single Unit Dwelling) Zone to R-2 (Two Unit Dwelling) Zone. The purpose of the rezoning is to permit the use of an existing house extension as a residential rental unit. Mr. Purcell went on to advise that the extension served as a dental practice office from 1976 until April of 1985.

Mr. Purcell outlined the Staff Report and recommended approval of the application.

SPEAKERS IN FAVOUR OF THE APPLICATION

NONE.

SPEAKERS IN OPPOSITION TO THE APPLICATION

NONE.

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

"THAT Application Number RA-SA-57-85-16 be approved."
Motion Carried.

ADJOURNMENT

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



"THAT Council adjourn."
Motion Carried.

Dec 9, 1985
PUBLIC HEARING

D17

STAFF REPORT

TO: Planning Advisory Committee
BY: Dept. of Planning & Development
RE: APPLICATION NO. RA-CH/W-58-85-21
DATE: September 30, 1985


C.A.O.

DIRECTOR

RECOMMENDATION:

THAT THE REQUEST TO AMEND THE COLE HARBOUR/WESTPHAL LAND USE BY-LAW BY REZONING LOT F OF THE EVATT DEC. BISHOP SUBDIVISION, LANDS OF THE ANGLICAN CHURCH OF CANADA ON COLE HARBOUR ROAD FROM A P-2 (COMMUNITY FACILITY) ZONE TO AN R-1 (SINGLE UNIT DWELLING) ZONE BE APPROVED BY MUNICIPAL COUNCIL.

General Information:

An application has been submitted by Mr. Troy Myers to rezone a lot identified in Figure 1 (p 3) from a P-2 (Community Facility) Zone to an R-1 (Single Unit Dwelling) Zone. The P-2 zone was applied to the lot in support of a proposed church. The owner of the lot, the Anglican Church of Canada, has agreed to sell it to Mr. Myers subject to it being rezoned to R-1.

If developed to its full potential, and assuming satisfactory percolation rates, the lot could accommodate eleven single unit dwellings.

Description:

MPS: Cole Harbour/Westphal
Area: 6.38 acres
Dimensions: See Figure 2, (p 3)
Features: Low lying, treed terrain with some swampy land on the eastern side
Surrounding Uses and Zoning: See Figure 2, (p 3)

ANALYSIS

The Cole Harbour/Westphal municipal planning strategy designates the lot as Residential A. The designation constitutes the priority area for continuing low density residential development. Further, the plan does not recognize this specific area as a significant centre of community activity. The rezoning of the lot to R-1 is thus supported by the plan and is not inconsistent with adjacent land uses.

FIGURE 1

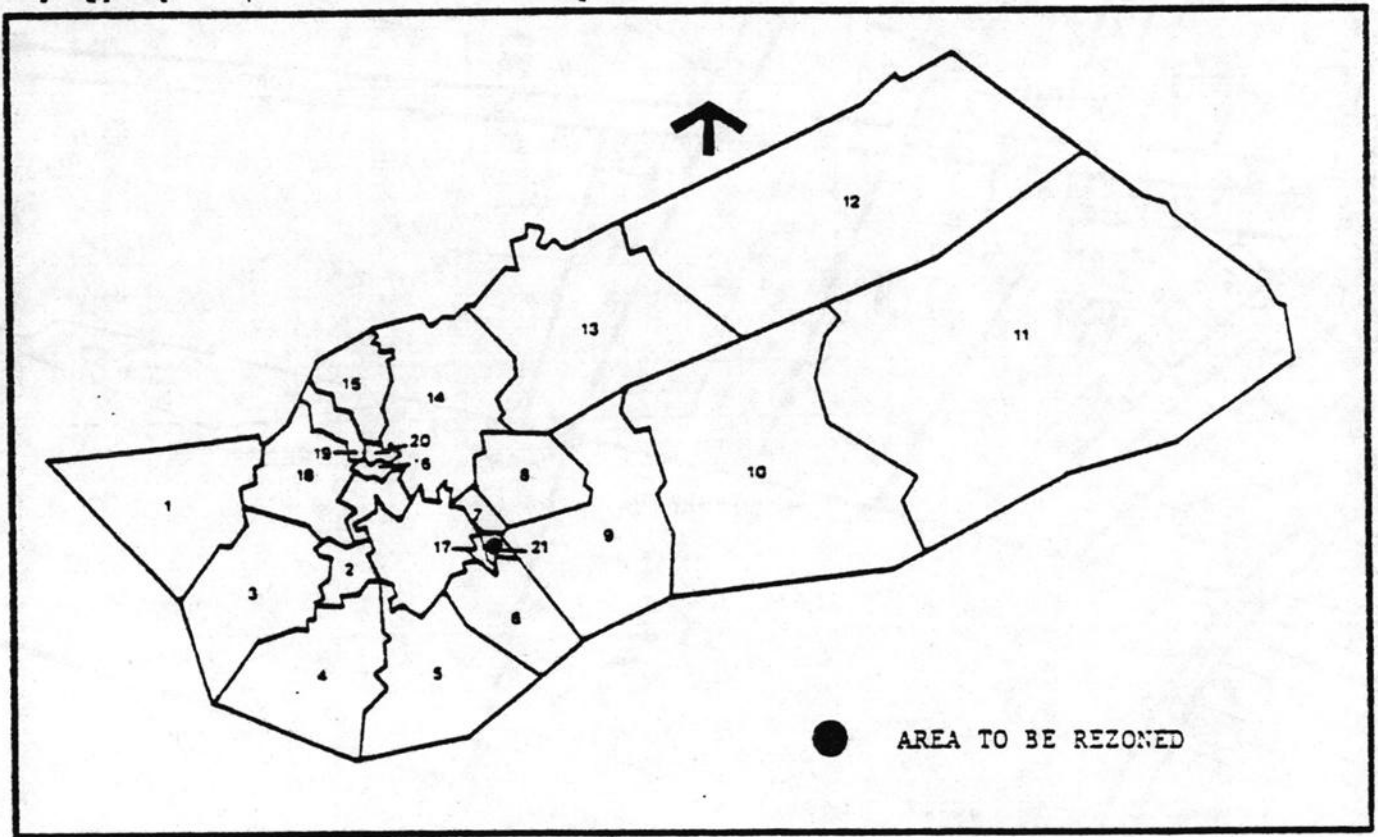
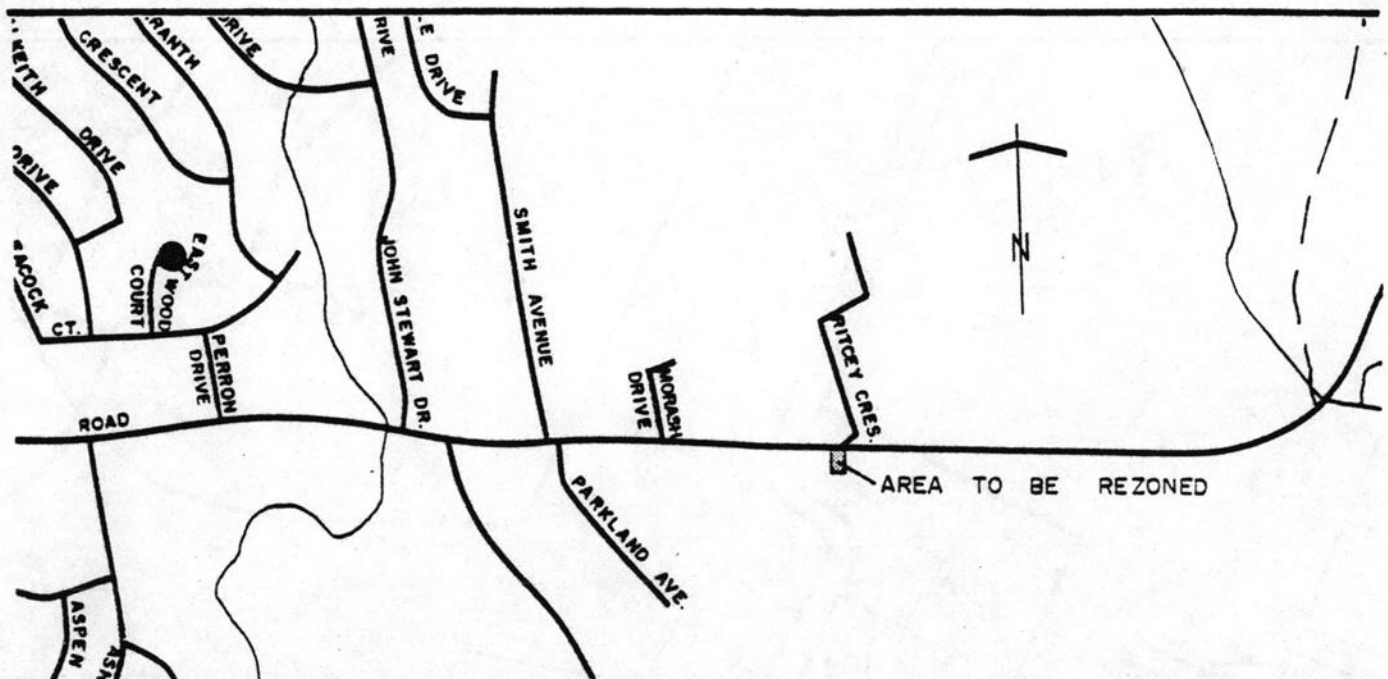
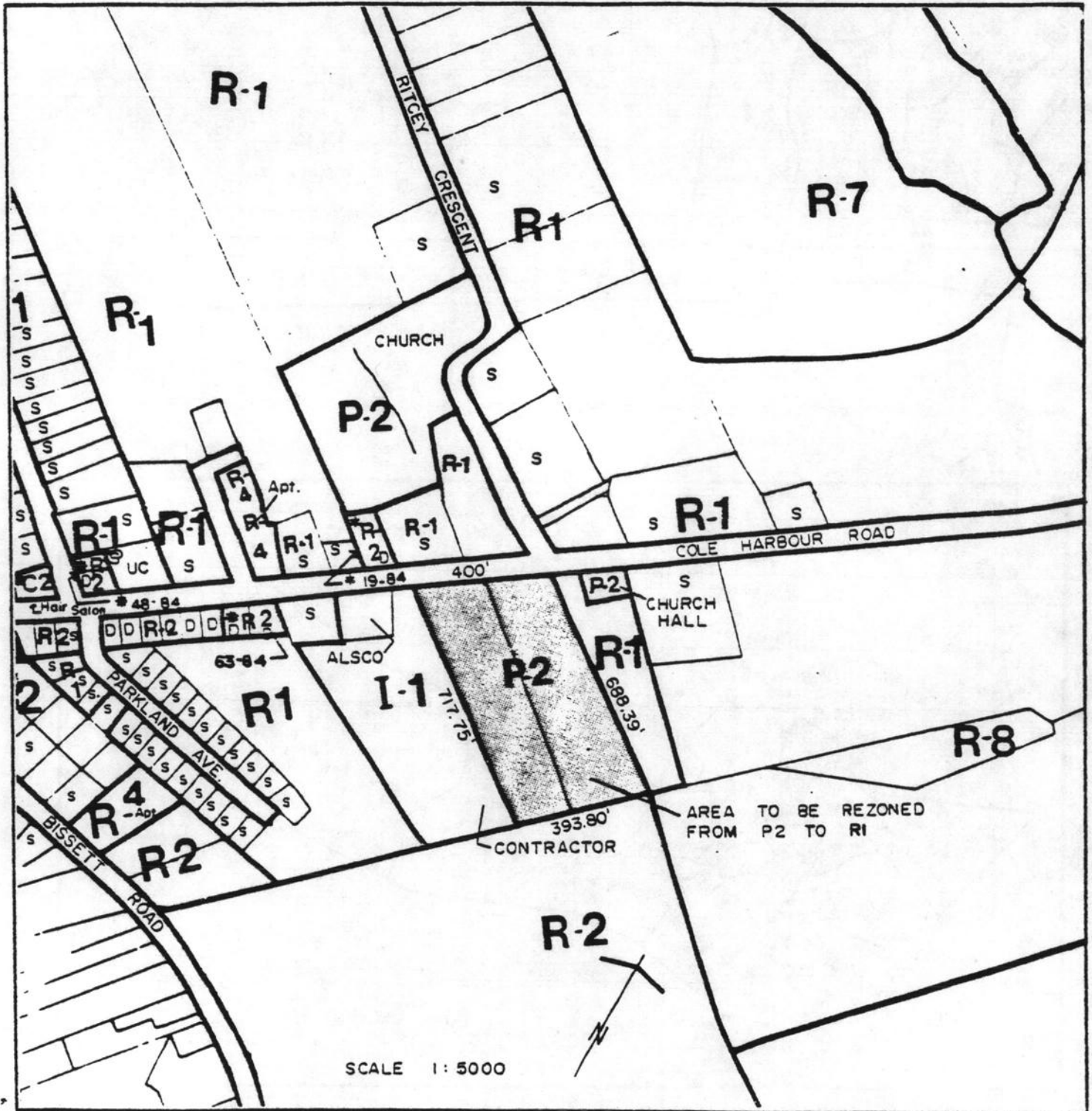


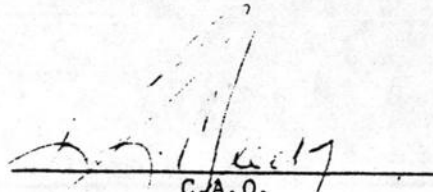
FIGURE 2



D17

STAFF REPORT

TO Planning Advisory Committee
BY: Dept. of Planning & Development
RE: APPLICATION NO. RA-TLB-64-85-02
DATE: October 1, 1985


C.J.A.O.

DIRECTOR

RECOMMENDATION:

THAT THE REZONING OF LOT A OF THE SUBDIVISION OF THE LANDS OF MRS. E. NICHOLSON, LOCATED AT 26 NICHOLSON DRIVE IN LAKESIDE, FROM R-1 (SINGLE UNIT DWELLING) ZONE, TO R-2 (TWO UNIT DWELLING) ZONE, BE APPROVED BY MUNICIPAL COUNCIL.

Information:

An application has been submitted by Mr. Charles Sawler to rezone the lands identified in Figure 2 (p 3) to R-2 (Two Unit Dwelling) Zone. A single unit dwelling is presently being constructed on the property. The purpose of the rezoning is to permit the basement of the house to be converted to separate living quarters.

Description:

MPS:	Timberlea/Lakeside/Beechville
Area:	9,590 square feet
Dimensions:	As illustrated by Figure 2, (p 3)
Surrounding Uses and Zoning:	As illustrated by Figure 2, (p 3)

ANALYSIS

The municipal planning strategy for Timberlea/Lakeside/Beechville designates the property "Residential". The designation allows for the development of a variety of housing types, including two unit dwellings, by amendment to the land use by-law.

The proposed rezoning is in conformity with the plan's intent to encourage a mixture of housing stock in areas where central water and sewer services are available. Furthermore, the second dwelling unit can be accommodated without expanding the existing house. Therefore, the scale of development along Nicholson Drive will not be adversely affected.

FIGURE NO. 1 - KEY PLAN & DISTRICT PLAN

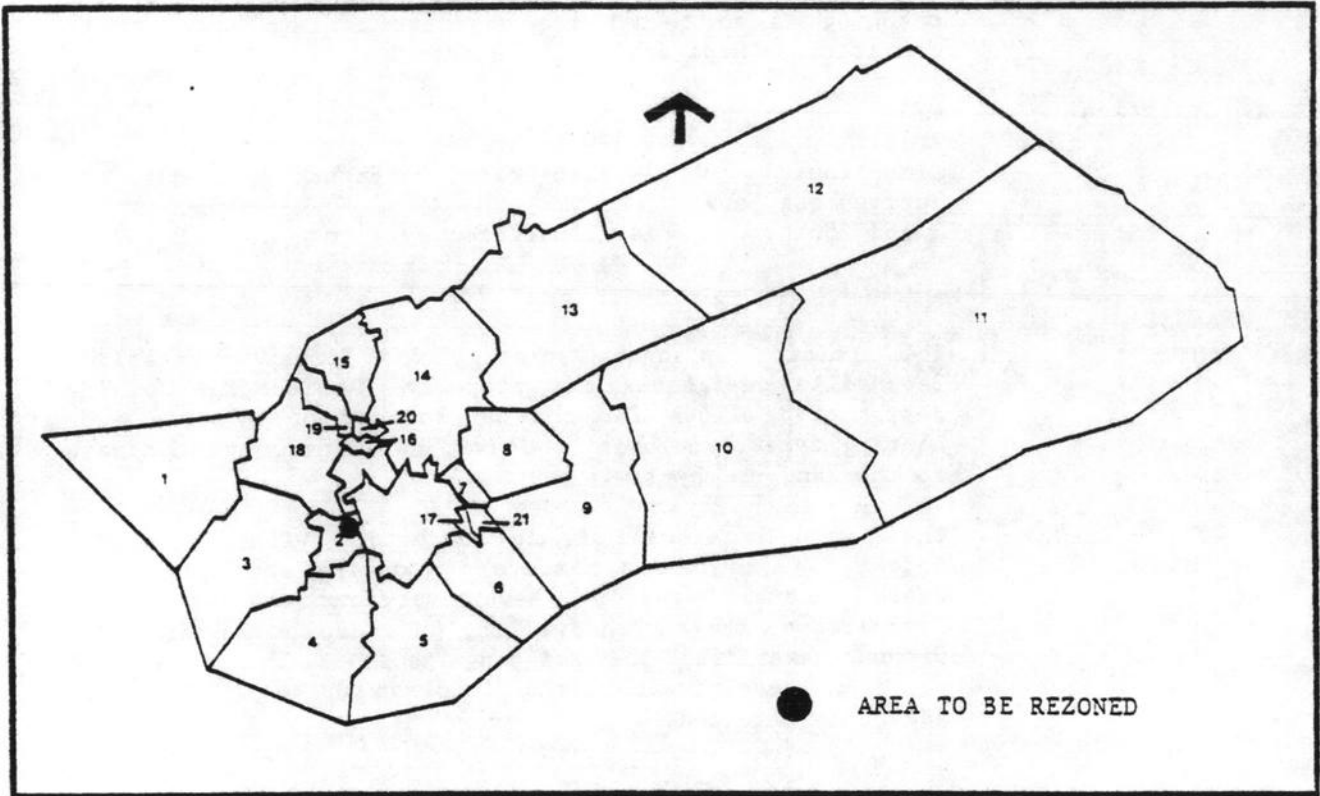
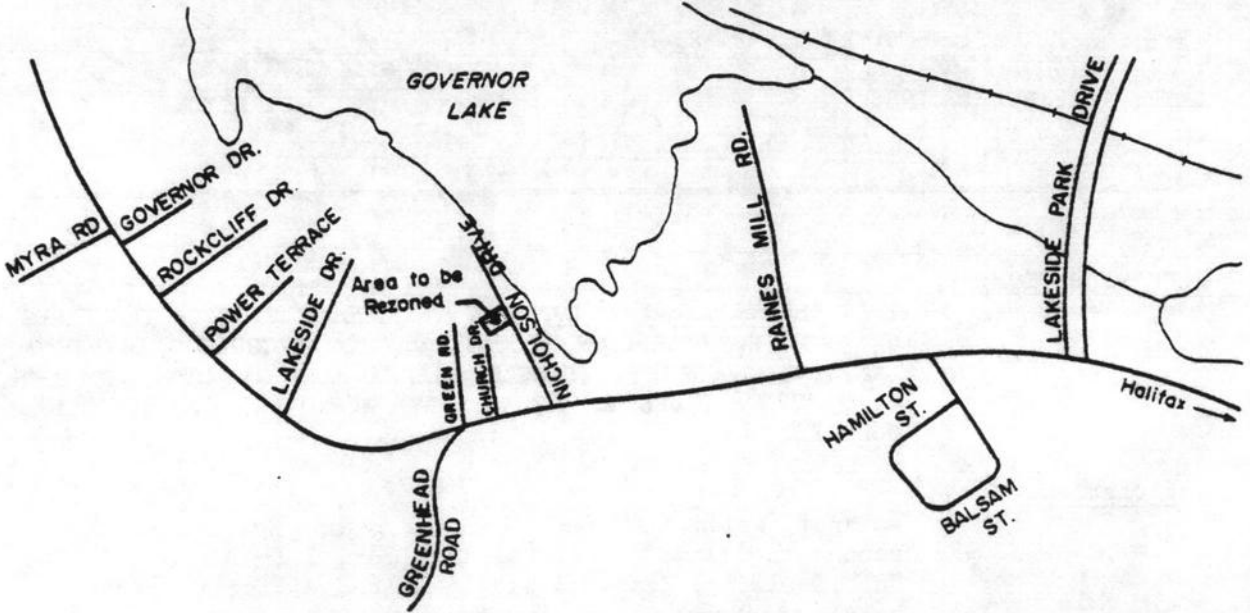
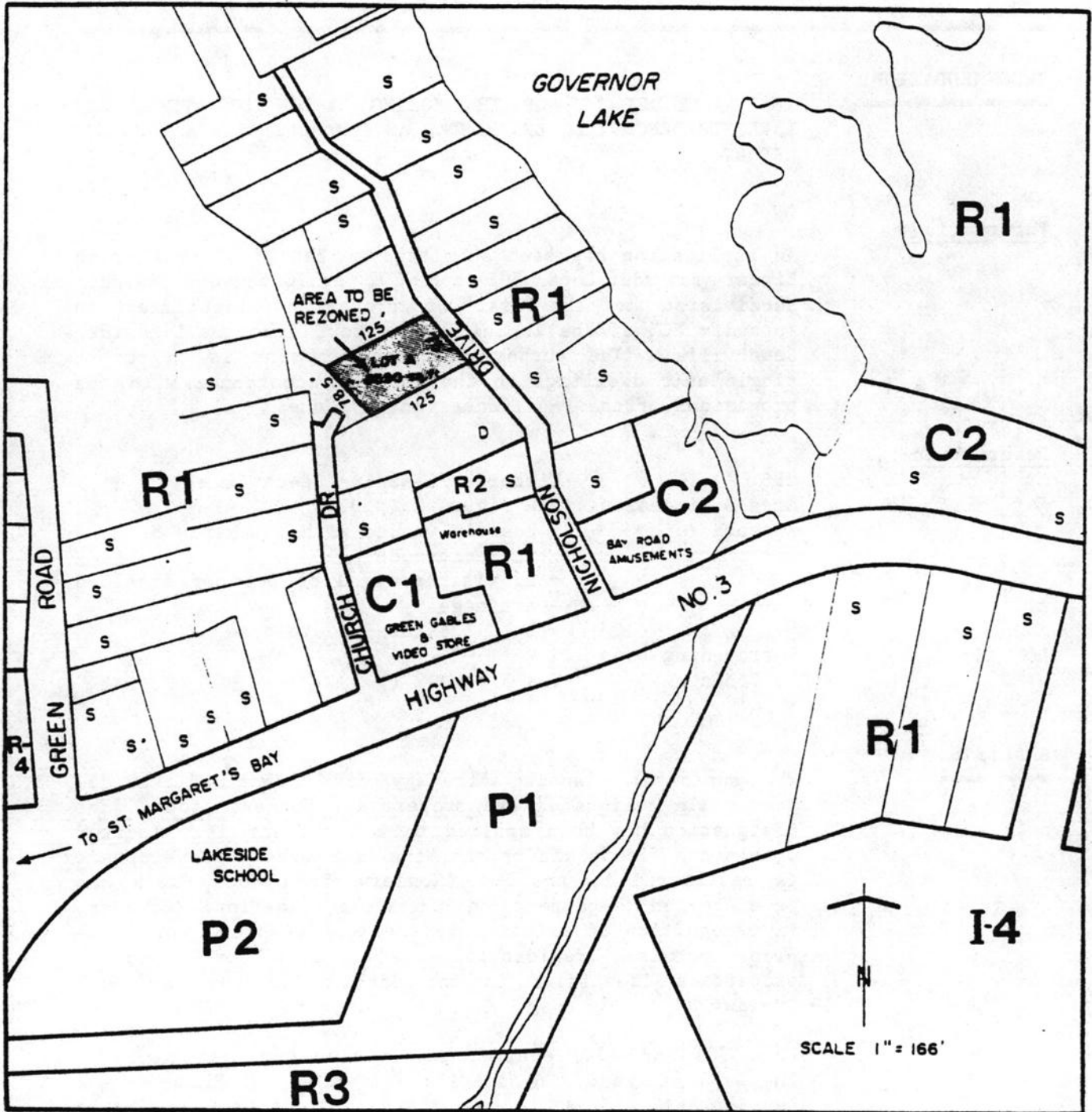


FIGURE NO. 2 - SURROUNDING USES & ZONING



TO: Planning Advisory Committee
 BY: Dept. of Planning & Development
 RE: APPLICATION NO. ZA-TLB-54-85-02
 DATE: September 30, 1985

[Signature]
 C.A.D.

[Signature]
 DIRECTOR

RECOMMENDATION:

THAT APPENDIX "C" OF THE ZONING BY-LAW FOR TIMBERLEA/LAKESIDE/BEECHVILLE BE AMENDED AS PER APPENDIX "A" OF THIS REPORT.

Information:

An application has been submitted on behalf of Mr. Joseph Eisner to add Lots 301 and 302 of Greenwood Heights Subdivision to the list of properties identified in Appendix "C" of the Zoning By-law for Timberlea/Lakeside/Beechville. The purpose of the amendment is to permit single unit dwellings on the lots in accordance with the provisions of the P-4 (Conservation) Zone.

Description:

MPS: Timberlea/Lakeside/Beechville
 Area & Dimensions: See Figure 2 (p 3)
 Features:
 - heavily wooded with a mixture of hard and softwoods
 - no visible signs of poor or impaired drainage
 - both lots are undeveloped
 Surrounding Uses & Zoning: See Figure 2 (p 3)

ANALYSIS:

The municipal planning strategy for Timberlea/Lakeside/Beechville designates the properties "Conservation". The designation has been applied to a number of lots located within the floodplain of the Nine Mile River. Development is restricted by the P-4 (Conservation) Zone which has been applied to property within the designation. However, in recognition of existing residential uses and lots, the plan permits residential development on specific properties identified in an addendum to the land use by-law.

Lots 301 and 302 received subdivision approval in 1984. The Departments of Engineering and Works and Planning and Development are satisfied that the properties can be safely developed without harm to the Nine Mile River.

FIGURE NO. 1 - KEY PLAN & DISTRICT PLAN

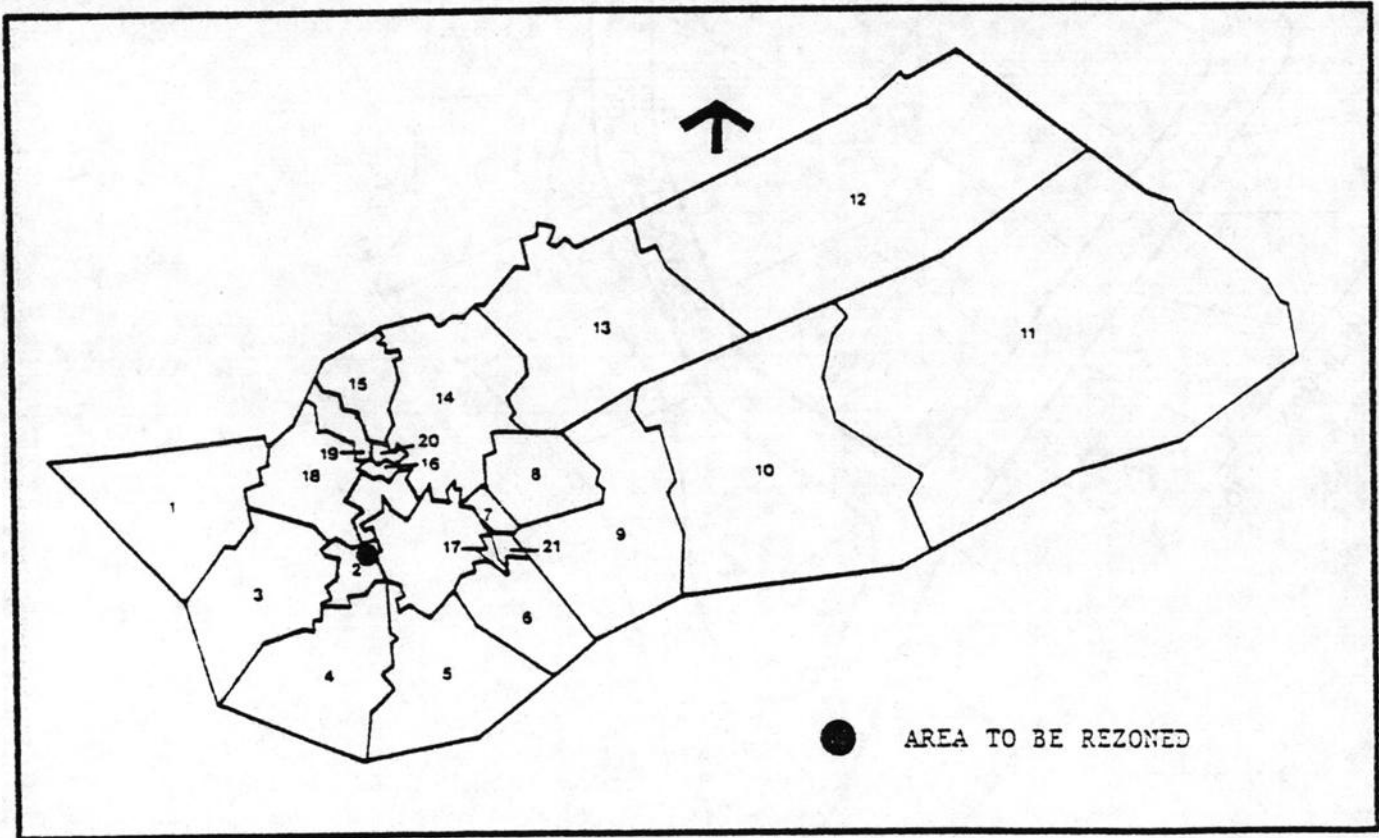
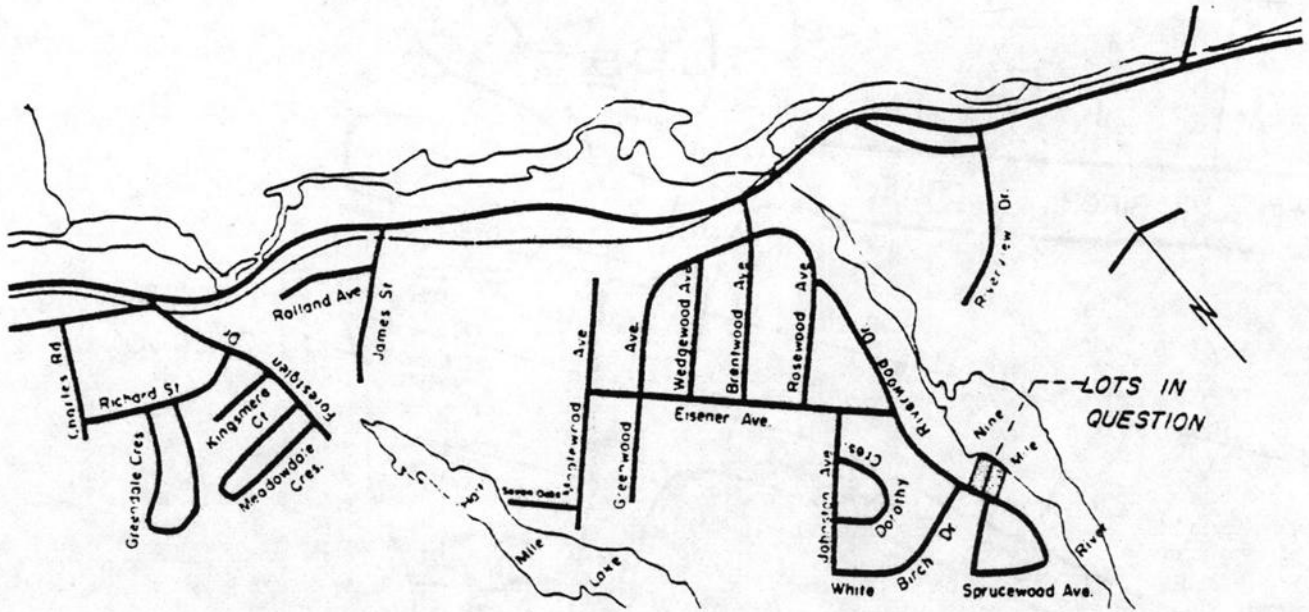
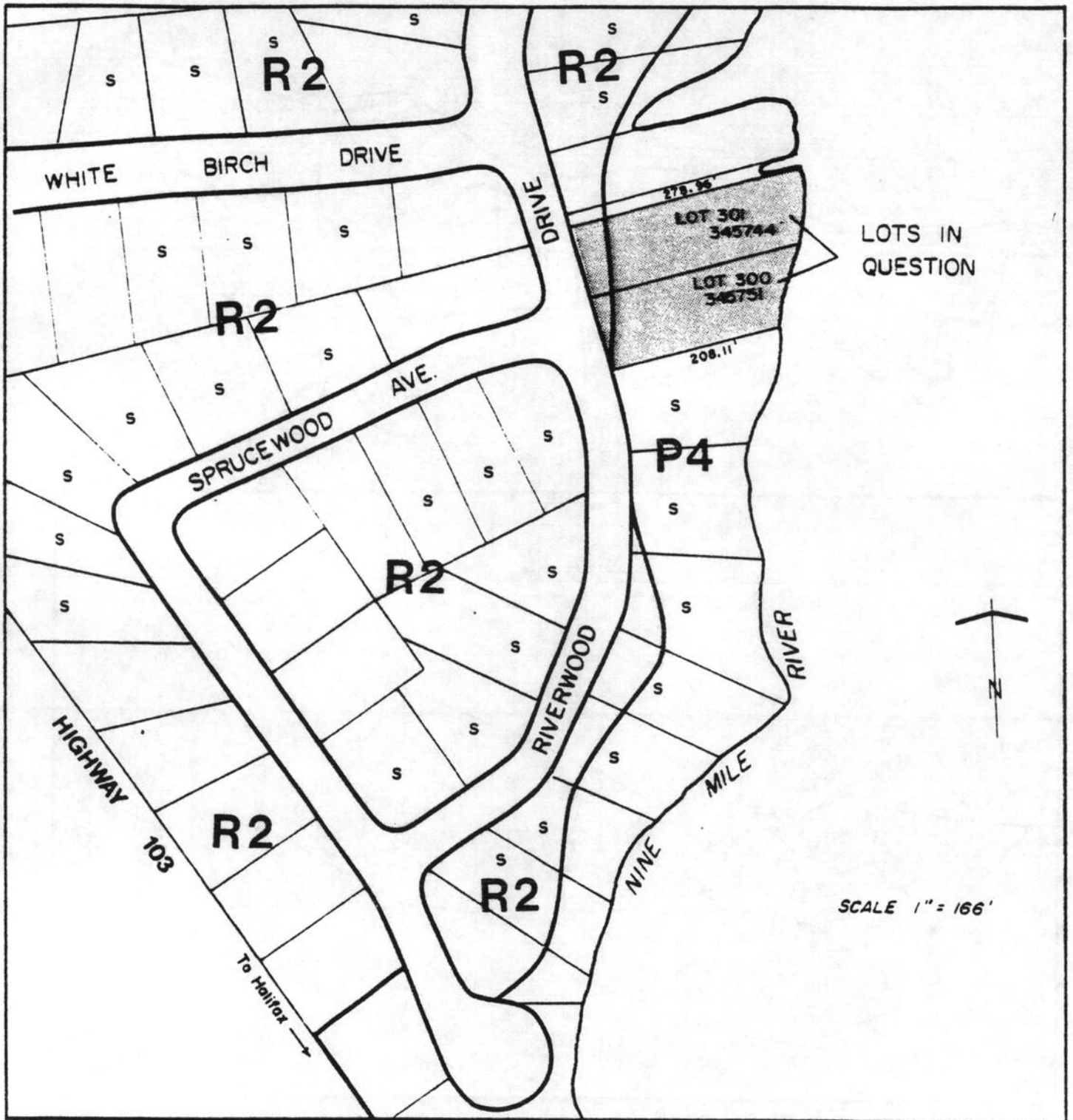


FIGURE NO. 2 - SURROUNDING USES & ZONING



APPENDIX "A"

A BY-LAW TO AMEND THE ZONING BY-LAW FOR

TIMBERLEA/LAKESIDE/BEECHVILLE

The Zoning By-law for Timberlea/Lakeside/Beechville is hereby amended by:

1. inserting immediately after the last LRIS Index Number of APPENDIX "C":
LANDS WITHIN A CONSERVATION ZONE, the following:

345744 - LOT 301, Greenwood Heights Subdivision
345751 - LOT 302, Greenwood Heights Subdivision

TO. Planning Advisory Committee
 BY Dept. of Planning & Development
 RE. APPLICATION NO. RA-SA-57-85-16
 DATE: September 30, 1985

[Signature]
 C.A.O.
[Signature]
 DIRECTOR

RECOMMENDATION:

THAT THE REZONING OF LOT C-9 OF THE GREENHILL SUBDIVISION, LANDS OF DR. WILLIAM S. CAMP, LOCATED AT 57 RAYMOND DRIVE, LOWER SACKVILLE, FROM R-1 (SINGLE UNIT DWELLING) ZONE TO R-2 (TWO UNIT DWELLING) ZONE, BE APPROVED BY MUNICIPAL COUNCIL.

General Information:

An application has been submitted by Dr. William S. Camp to rezone the lands identified in Figure 2 (p 3) of this report to R-2 (Two Unit Dwelling) Zone. The purpose of the rezoning is to permit the use of an existing 720 square foot house extension as a residential rental unit. The 30 x 23 foot extension to the existing split entry dwelling on the lot served as a dental practice office from 1976 until April of 1985.

Description:

MPS:	Sackville
Lot Area:	10,290 square feet
Dimensions:	As illustrated by Figure 2 (p 3)
Surrounding Uses and Zoning:	As illustrated by Figure 2 (p 3)

ANALYSIS

The municipal planning strategy for Sackville designates the property as "Urban Residential". This designation allows for a variety of housing types, including two unit dwellings.

Thus, the proposed rezoning is in conformity with the plan's intent to accommodate a mixture of housing stock within the designation.

The Department of Engineering and Works has advised that adequate water and sewer services are available to accommodate the proposal. In addition, off street parking is available, and given that the proposed development will not involve any expansion to the existing dwelling, the surrounding area will not be affected.

-2-
FIGURE 1

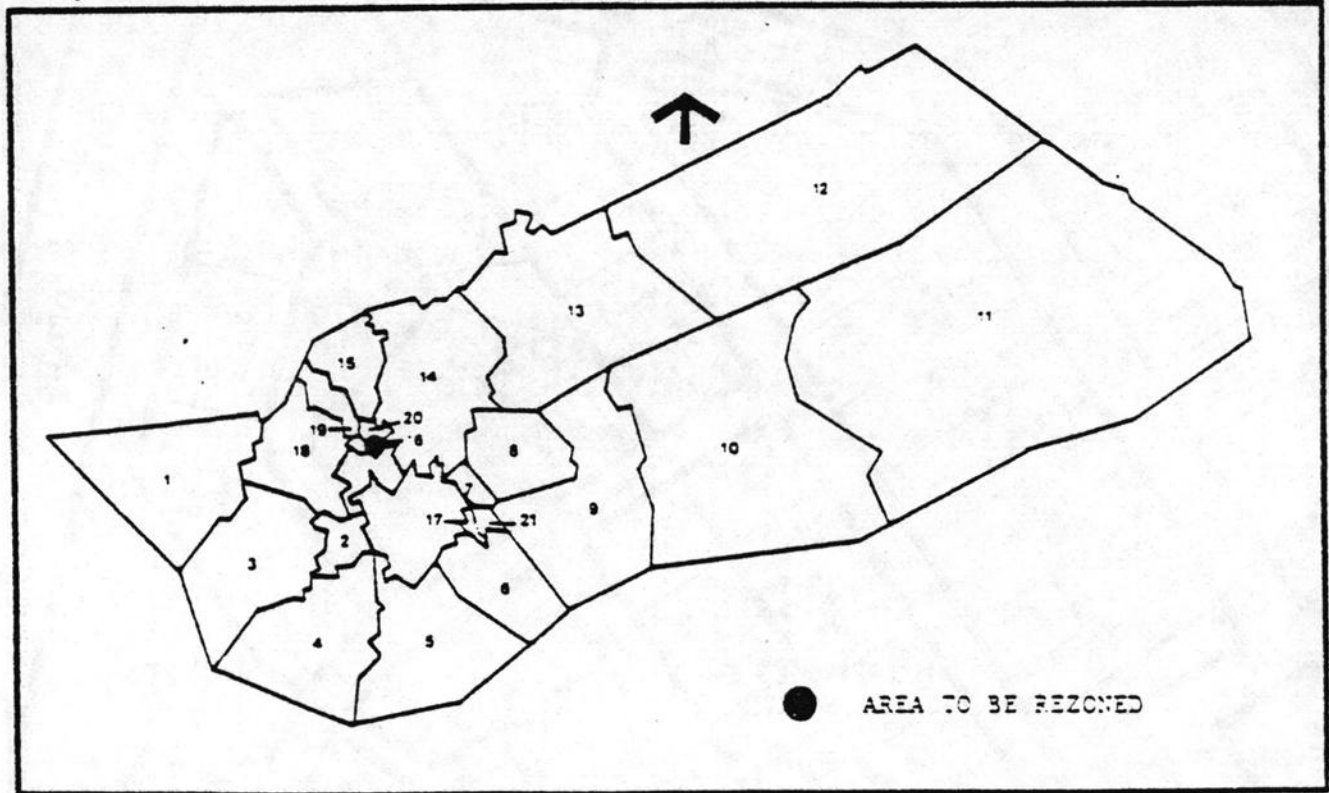
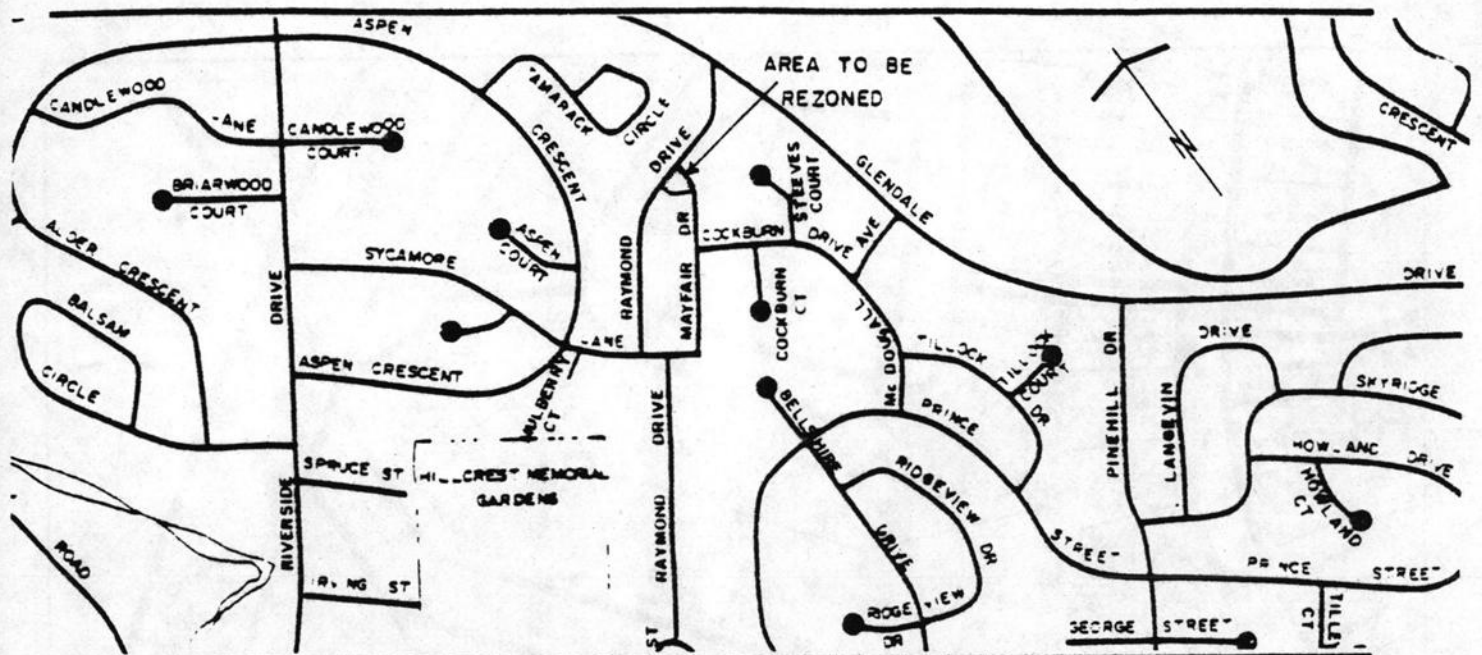


FIGURE 2



Scale 1" = 166'

MINUTES & REPORTS

OF THE

FIRST YEAR MEETINGS

OF THE

FORTY - SECOND COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

JANUARY COUNCIL SESSION

TUESDAY, JANUARY 7 and 21, 1986

&

PUBLIC HEARINGS

JANUARY 13 and 27, 1986

January Council Session - 1986

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COUNCIL SESSION

JANUARY 7, 1986

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Walker
Councillor Poirier
Councillor Fralick
Councillor P. Baker
Councillor C. Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Merrigan
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Deputy Warden Wiseman
Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. R. Cragg, Municipal Solicitor
Mr. G. J. Kelly, Municipal Clerk

SECRETARY: Glenda Higgins

CALL TO ORDER

Warden MacKenzie called the meeting to order at 6:10 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 Poirier:

"THAT Glenda Higgins be appointed as Recording Secretary."
Motion Carried.

AGENDA ITEMS

Councillor MacKay - Lake District Recreation Association request for a special premise license for Sackville Arena

Councillor MacDonald - PCB Facility

Councillor C. Baker - Sewage into Herring Cove

Councillor P. Baker - NS Power Corporation
- Public Service Commission, Goodwood

MEETING WITH LLOYD GILLIS, C.E.O., DISTRICT SCHOOL BOARD

Mr. Gillis outlined his quarterly report speaking about School Capital Projects, Enrollment, School Board Budget, and Continuing Education - Community Schools. After the presentation of his report, Mr. Gillis received questions and comments from Council members.

REQUESTED TRANSFER OF REHABILITATION CENTRE LANDS - COLE HARBOUR

Mr. Kelly read the report from the Executive Committee stating that the Department of Lands and Forests are requesting the transfer of lands of the Rehab Centre at Cole Harbour to the Department of Lands and Forests as part of the Cole Harbour/Lawrencetown Regional Park for the amount of \$1.00. Mr. Paul Euloth, Planner, and Mr. Barry Diamond, Director of Parks and Lands, Department of Lands and Forest were in attendance to make a presentation to Council respecting this request. After the presentation, Council members had various concerns. Councillor P. Baker and Councillor DeRoche both had concerns over the legality of hunting on or near this property. Mr. Diamond assured the Councillors that hunting will not be completely restricted on this property, but there will be a management strategy incorporated in some manner so there will be control over hunting in the area.

Councillor P. Baker also wondered whether or not the Department of Lands and Forests were aware that there are two cemeteries on the property, if their locations are known, and what their intentions are regarding these cemeteries. Mr. Diamond assured Council that they are aware of the two cemeteries and their locations, and agreed with Mr. Meech that they would be prepared to define and preserve both of these cemeteries on the site.

Councillor Mont advised that the Board of Management for the Halifax County Rehabilitation Centre had expressed concern about the existing barn which is on the property, as well as the cemeteries, suggesting that they may be of some historical merit. Mr. Diamond responded that they have looked into a separate maintenance facility, but that the barn would not be torn down as it is presently used by the Department of Lands and Forests in cooperation with the Rehab Centre.

Councillor Randall was concerned over an incident at Stoney Beach and whether or not precautions will be taken to prevent such an accident from occurring again. Mr. Diamond assured that the Department of Lands and Forests will have to look at the way the entire system is used and develop some measures and practices that will reflect the necessities that have arisen from this incident. The Stoney Beach matter has already been looked at by the Provincial Government, and they are in the process of having signs erected. Councillor Randall agreed with Mr. Diamond that people do not always adhere to signs and that perhaps some further correspondence should be sent to the Department from himself and other concerned people stating that they should take another look to see if the signs are effectively working.

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

"THAT the Municipality transfer certain lands of the Halifax County Rehabilitation Centre to the Department of Lands and Forests for an amount of \$1.00 subject to the condition that the two cemeteries and a barn located on the property be preserved.
Motion Carried.

It was noted by the Warden that Councillor Randall will write to the Department of Lands and Forests with regard to his concerns.

PLANNING ADVISORY COMMITTEE REPORT

Application No. PA-SA-07-85 - Proposed Amendments to the Municipal Planning Strategy and Land Use By-law for Sackville (Sackville Manor Limited)

Mr. Kelly read the report.

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

"THAT Council hold a public hearing on this matter."

Councillor DeRoche pointed out that the Planning Advisory Committee had recommended in its report that the application be rejected and they had reason to do so, so he suggested that the motion be rejected and the decision of the Planning Advisory Committee be upheld.

Councillor Lichter pointed out that a public participation committee meeting must be held on any plan amendment and that the Planning Advisory Committee is obligated to do so.

There was concern by Councillor MacKay and Councillor MacDonald over the serviceable boundaries. They both expressed the need for an update from the Department of Engineering and Works regarding the serviceable area before a public hearing could be held. It was also pointed out that there are two issues at stake - the serviceable boundary area and the change from a Rural Residential Designation to an Urban Residential Designation; there is a need for two public hearings after the public participation session.

Councillor Deveaux agreed with others that the original motion should be rescinded and the matter be referred to the Planning Advisory Committee for a public participation session.

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

"THAT the original motion be rescinded."
Motion Carried.

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

"THAT Council is not prepared at this point in time to accept the motion of rejection by the Planning Advisory Committee and that this item be referred back to the Planning Advisory Committee and they be required to hold a public participation session and then come back to Council with a further recommendation."
Motion Carried.

Application No. RA-TLB-70-85-02 - Amend the
Timberlea/Lakeside/Beechville Land Use By-law by Rezoning Lot 4 of the
Lands of William Bishop, Lakeside.

Mr. Kelly read the report.

Councillor DeRoche pointed out the reasons why the PAC had recommended rejection.

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

"THAT this application be rejected."
Motion carried.

Undersized Lot - Application No. F 1083-85-09 - Lots A-14-A and A-14-B
of the Re-subdivision of Lands of East Chezzetcook Co-operative Housing
Ltd. and Malcolm and Sandra Horlock in Upper Lawrencetown.

Mr. Kelly read the report.

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

"THAT a public hearing on this matter be held on February 4, 1986,
at 7:00 p.m."
Motion Carried.

Undersized Lot Legislation - Application No. P 560-85-01 - Subdivision
of Lots A and B of the Lands of James Marriott, Head of St. Margaret's
Bay

Mr. Kelly read the report.

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

"THAT the staff report be accepted and recommended to Council, and that staff be empowered to advertise the proposed undersized lot application once the necessary survey has been complete."
Motion Carried.

EXECUTIVE COMMITTEE REPORT

Metro Festivals Corporation

Mr. Kelly read the report.

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

"THAT Council support the concept of a Metro Festivals Corporation, that a representative from the Municipality be appointed to the Board as a volunteer, and further that a financial contribution be withheld pending receipt of additional information."

Motion carried.

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

"THAT Pam Nauss be the County representative on Board of the Metro Festivals Corporation."

Motion Carried.

Lands, Department of Housing

Mr. Kelly read the report.

Councillor Mont and Councillor McInroy declared conflicts of interest.

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

"THAT the Municipality initiate discussion with the Department of Housing regarding the acquisition of Parcel R1-A."

Motion Carried.

Councillor DeRoche reported that there is an outstanding rezoning application on this property and suggested that a public hearing be held first to see if the rezoning would take place rather than try to procure the property for our own use, which is somewhat different from what the owner intends. Councillor MacKay advised that when this application went to the Executive Committee, he was not aware of the rezoning application. When he found out, however, he had discussions with both Mr. Clint Schofield from the Nova Scotia Department of Housing and Michael Hanusiak, Planner working on the application. Mr. Schofield still felt that Council should approve the recommendation, enter into negotiation with the Nova Scotia Department of Housing, and they would no doubt withdraw the rezoning application at that time. Councillor Deveaux pointed out that the issue would have to come back to Council before any final decision is made. Councillor MacKay clarified Councillor DeRoche's question of cost by stating that he is looking at procuring the property for \$1.00, and if they come back at fair market value, it would be a decision that would have to be made by the Nova Scotia Department of Housing.

COLA Increase, Non-Union Employees

Mr. Kelly read the report.

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

"THAT the salary scales for all County Administration non-union personnel be adjusted by 4 percent effective January 1, 1986."
Motion carried.

Councillor MacDonald questioned the position of an increase in salaries for Councillors, stating that it should be looked at in some manner. Mr. Meech suggested that the matter be referred to the Executive Committee for their consideration and recommendation because it requires an amendment to the By-law before it can actually be put into place. Councillor Mont then added that he had particular concerns for the Warden's salary. He felt that the Warden is doing his job full-time and is not receiving an adequate salary in comparison to what other chief magistrates in the area are receiving. If this is going to be referred to the Executive Committee, Councillor Mont felt that this is one area that should be paid particular attention to.

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

"THAT Council refer the matter of the Warden and Councillors salaries to the Executive Committee for consideration."
Motion Carried.

BUILDING INSPECTOR'S REPORT: LESSER SETBACK

Mr. Kelly read the report.

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

"THAT this application, by Freeman Walters, for a lesser setback of 26.99 feet, Lot 299, Churchill Estates, Herring Cove, be approved."
Motion Carried.

APPEALS, RE MINOR VARIANCES

Mr. Kelly reported having received three appeals of minor variance decisions made by the Development Officer as follows:

- a) Michael and Loretta Cleary, 284 Astral Drive;
- b) George Croucher, 67 Agincourt Crescent
- c) J. A. Gillespie, Lot 217, First Lake Drive, Lr. Sackville

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

"THAT Council establish a public hearing date for the three minor variance appeals for February 4, 1986, at 7:00 p.m."
Motion Carried.

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

Position of Fire Service Research and Development Officer

Mr. Kelly read the report.

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

"THAT Council approve the position of Fire Service Research and Development Officer based on the guidelines as established by the Fire Chiefs Association."

Councillor Lichter questioned the cost and need for this type of service. Councillor Reid gave more of an insight into the purpose of and need for the Fire Service Research and Development Officer.

Motion Carried.

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

"THAT Council approve the extension of the present position of Fire Services Co-ordinator until the position of Fire Service Research and Development Officer is filled."
Motion Carried.

Councillor Lichter questioned the need for such a position, and wondered if any benefits had been received from the position of Fire Services Co-ordinator. Councillors Reid, Eisenhauer, Merrigan, C. Baker, and Deveaux spoke in favour of the motion, and Councillors Snow, Bayers, and Lichter spoke in opposition to the motion.

RESOLUTION, RE ABANDONMENT OF SEWER EASEMENT

Mr. Kelly reported that a request had been received from G.H.B. Holdings Limited for the Municipality to abandon a sewer easement on their property in Bedford. The existing sewer easement was expropriated by the Municipality in 1971 and is no longer required by the Municipality.

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

"THAT the Municipality approve the abandonment of a sewer easement on G.H.B. Holdings Limited property, Bedford."
Motion Carried.

RESOLUTION, RE BY-LAW ENFORCEMENT OFFICER

Mr. Kelly reported that Mr. Mark Jamieson had been appointed as By-law Enforcement Officer for the Municipality. The position was filled due to the resignation of the previous By-law Enforcement Officer.

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

"THAT Council approve a resolution requesting the Nova Scotia Police Commission to approve the appointment of Mr. Mark Jamieson as a By-law Enforcement Officer for the Municipality."
Motion Carried.

Councillor Mont expressed concern respecting this appointment and questioned the need for the position. Following discussion of the position, Mr. Kelly outlined the duties of the By-law Enforcement Officer.

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

"THAT the By-Law Enforcement Officer be not authorized to wear a uniform."

A number of Councillors spoke in opposition to the motion.

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

"THAT the matter concerning the uniform and duties of the By-law Enforcement Officer be referred to the Executive Committee."
Motion Carried.

SENIOR CITIZENS

Councillor McInroy and Councillor Mont declared a conflict of interest.

Councillor Walker advised that he has received a copy of a letter to Mr. Kelly from the Department of Housing stating that a proposed Senior Citizens Complex for District 1 will be included in the Department's 1987 budget.

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

"THAT the Municipality request the Department of Housing to include a senior citizens complex for District 1 in their 1986 budget."
Motion Carried.

ADDITION OF ITEMS TO THE JANUARY 7, 1986 COUNCIL SESSION

Councillor Mackay - Special Premises License for the Sackville Arena

Councillor MacKay read a letter from Lake District Recreation Association.

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

"THAT Council support a request by the Lake District Recreation Association to obtain a special liquor license from the Nova Scotia Liquor License Board."
Motion Carried.