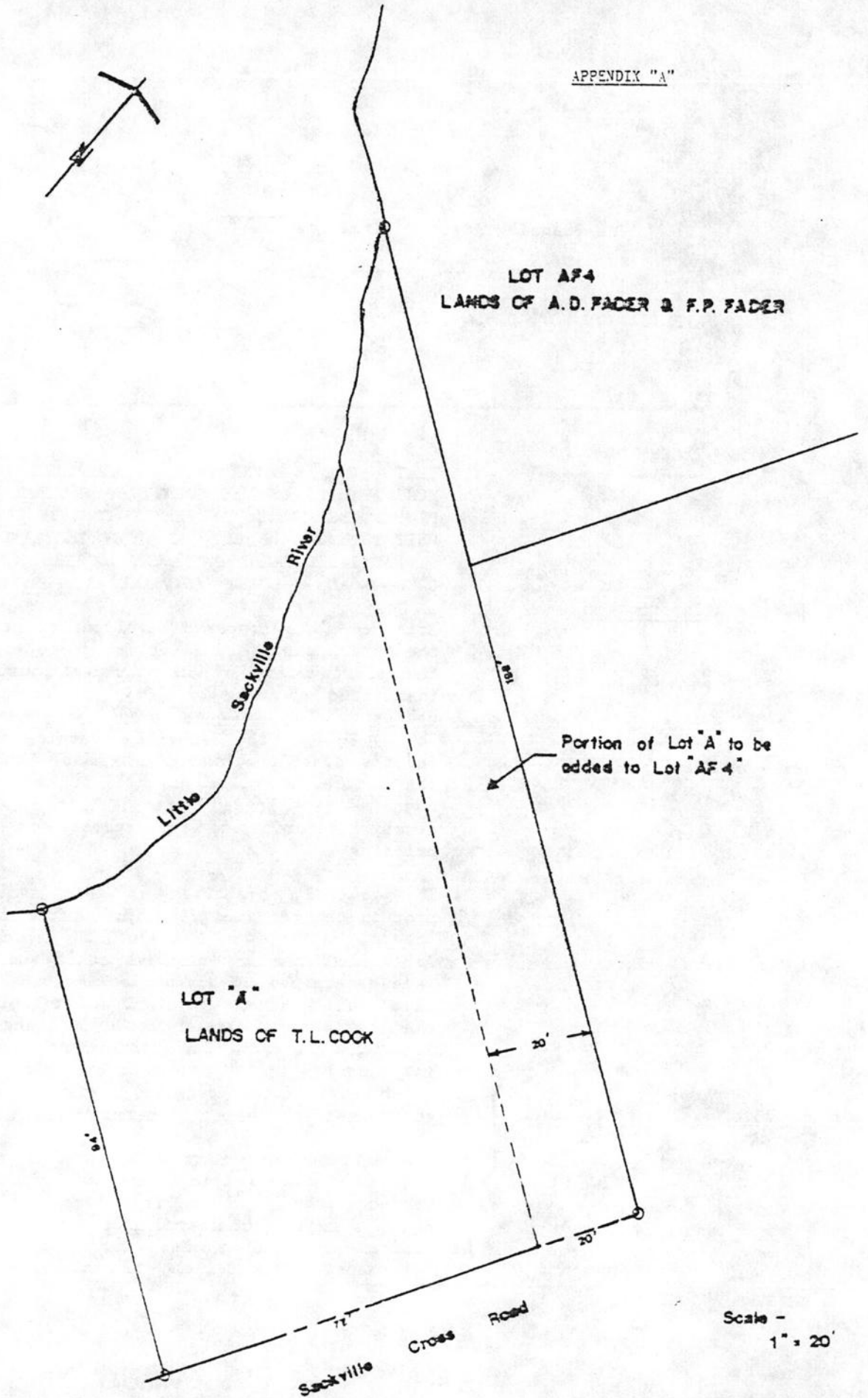


APPENDIX "A"



LOT AF4
LANDS OF A.D. FADER & F.P. FADER

LOT "A"
LANDS OF T.L. COCK

Portion of Lot "A" to be added to Lot "AF4"

Scale -
1" = 20'

D19



STAFF REPORT

TO: The Planning Advisory Committee

FROM: Dept. of Planning & Development

APPLICATION NO.: DA-SA-37B-85-16

DATE: March 10, 1985


C. K. O.

DIRECTOR

RECOMMENDATION

THAT THE DEVELOPMENT AGREEMENT BETWEEN THE MUNICIPALITY OF THE COUNTY OF HALIFAX AND RIVERFRONT PROPERTIES LTD., TO PERMIT CONSTRUCTION OF A MULTI UNIT DWELLING ON LOT "AF-4" OF THE LANDS OF ARCHIBALD D. FADER AND FERNE P. FADER, LOCATED OFF THE SACKVILLE CROSS ROAD AT LOWER SACKVILLE BE APPROVED.

Information

Attached is a proposed development agreement between the Municipality and River Front Properties Ltd., for the construction of an apartment building on lands identified on Map No. 3(p4) of this report. The necessity for a development agreement stems from Policy P-87 of the Sackville planning strategy, which permits consideration of new uses within 100 feet of the Little Sackville River. The property presently contains a single unit dwelling, which will be demolished prior to construction of the apartment building.

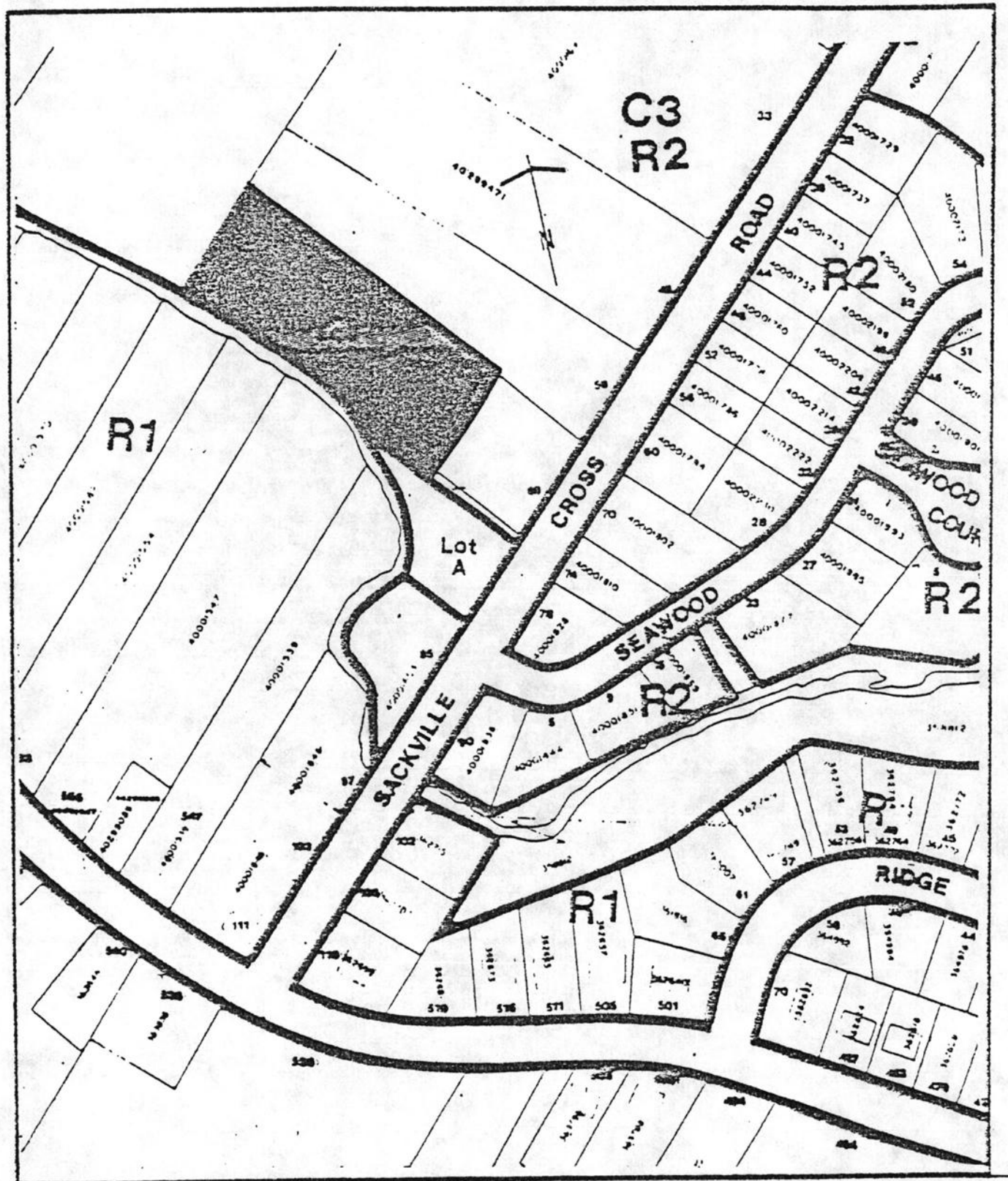
The general objectives of this agreement are to protect the proposed development from flooding and to prevent siltation and erosion along the Little Sackville River. Municipal staff and the applicant have determined an appropriate method for development based on the site's physical and topographic features the proximity of the proposed building to the Little Sackville River. The agreement sets out specific instructions on a wide variety of matters including floor elevations, parking, general landscaping and environmental protection measures.

The agreement also requires that a right-of-way be granted to lands lying immediately southwest of the subject site. This lot belongs to the applicant and is being considered for an commercial and/or office building under a separate development agreement. The purpose of the right-of-way is to

provide additional parking spaces for the office building. Given that the two properties are zoned C-3 (Commercial Core) Zone, a lot consolidation could take place that would permit both developments on a single lot. In this manner, the need for a right-of-way could be eliminated in favor of a common parking lot. However, the right-of-way is being recommended in order to maintain separate lots and to permit the possible sale of either project in the future.

MAP 3

SURROUNDING LAND USES AND ZONING



THIS AGREEMENT MADE THIS DAY OF A.D., 1986

BETWEEN:

RIVER FRONT PROPERTIES LTD, a body corporate of Lower Sackville, in the County of Halifax, Province of Nova Scotia, hereinafter called the "Developer".

OF THE FIRST PART

-and-

THE MUNICIPALITY OF THE COUNTY OF HALIFAX, a body corporate, hereinafter called the "Municipality"

OF THE SECOND PART

WHEREAS the Developer has good title to lands known as Lot "AF-4" of the lands of Archibald D. Fader and Ferne P. Fader, located off the Sackville Cross Road at Lower Sackville, in the County of Halifax, Province of Nova Scotia, said lands (hereinafter called the "Property") are more particularly described in Schedule "A" of this Agreement;

AND WHEREAS the Developer has requested that it be permitted to erect, construct or otherwise locate a thirty-six (36) unit apartment building (hereinafter called the "Building") on the Property;

WITNESS that in consideration of the sum of One Dollar (\$1.00) now paid by the Developer to the Municipality (the receipt of which is hereby acknowledged), the request to erect, construct or otherwise locate the Building is agreed upon between the Developer and the Municipality pursuant to Section 3.6 (c) of the Zoning By-law for Sackville and subject to the following terms and conditions:

- 1(a) That this Agreement shall have no effect until the Development Officer for the Municipality has endorsed a Final Plan of Subdivision, prepared in accordance with the Municipality's Subdivision By-law and showing the addition of the lands identified in Appendix "A" of this Agreement to the Property.
- (b) That a copy of the endorsed Final Plan of Subdivision along with proof of ownership of the lands being added to the Property shall be affixed to this Agreement as Appendix "B" whereupon the word "Property" shall include the lands described in Schedule "A" of Agreement and the aforementioned addition.
2. That the Property shall be used solely for the erection or construction of an apartment building, wherein the maximum number of dwelling units in the Building shall not exceed thirty-six (36).
3. That the Building shall conform with all applicable regulations as set forth in the NATIONAL BUILDING CODE OF CANADA 1980 and any amendments made thereafter.
4. That the Building shall be confined to an area on the Property defined by the following yard requirements and as illustrated in Appendix "C" of

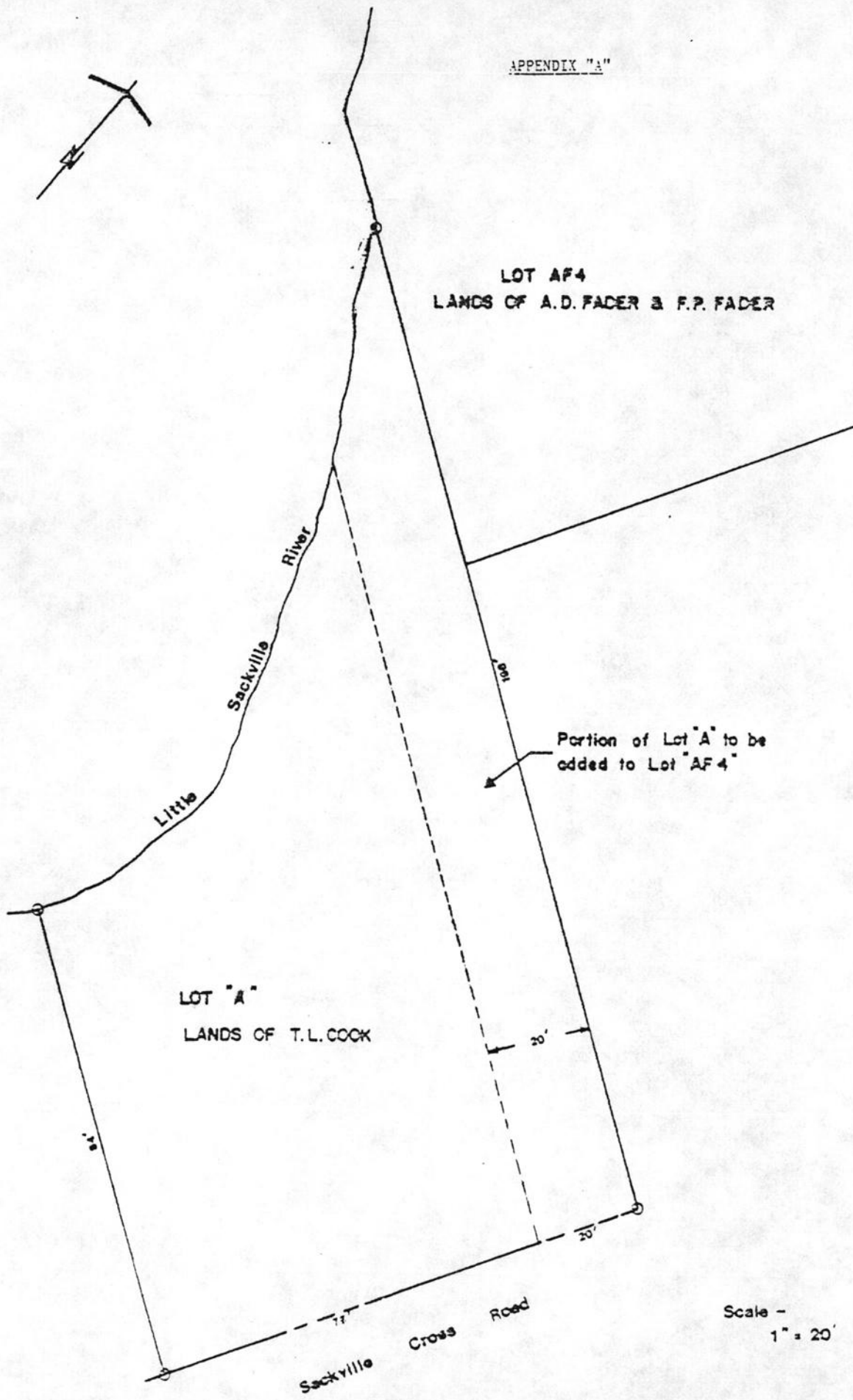
this Agreement:

Minimum Front Yard (Property Line "A")	72 feet
Minimum Side Yard (Property Line "B", as measured from shown Tie Line.)	59 feet
Minimum Side Yard (Property Line "D")	12 feet
Maximum Rear Yard (Property Line "C")	97 feet

5. That the Developer shall construct and maintain in good repair a parking lot and pedestrian walkway as per the specifications identified in Appendix "C" of this Agreement. It is agreed that the parking lot shall be paved with asphalt wherein the limits of the said parking lot shall be defined by a concrete or asphalt curb measuring at least six (6) inches in height.
- 6(a) That prior to the signing of this Agreement by the Parties, the Developer shall have granted in perpetuity, a "Right-of-Way" to lands lying to the immediate southwest of the Property, said lands having been approved by the Municipality as Lot "A" of the lands of T.L. Cook;
- (b) That the said Right-of-Way shall be maintained by the Developer for vehicular and pedestrian ingress and egress and for the parking of motor vehicles associated with the aforementioned lands;
- (c) That the said Right-of-Way shall be constructed as per the design specifications identified in Appendix "C" of this Agreement, wherein all work associated with the construction of the Right-of-Way shall be completed by the Developer within thirty (30) days of the issuance of the Building Permit for the Building.
- (d) That evidence of the granting of the said Right-of-Way along with proof of registration at the Registry of Deeds at Halifax shall be affixed as an appendix to this Agreement.
7. That prior to the signing of this Agreement by the Parties, the Developer shall supply to the Municipality all necessary plans and written materials to accurately show and explain the following:
 - the proposed location of the Building;
 - the manner in which the Property is to be serviced, including storm water drainage;
 - the existing grade of the Property;
 - the proposed grade of the Property upon completion of the Building;
 - the manner in which siltation of the Little Sackville River is to be prevented during any land filling operation and during construction of the Building;
 - the manner in which erosion of the Property is to be prevented upon completion of the Building.
8. That all plans and written materials required under Section 8 of this Agreement shall meet with the approval of the Development Officer for the Municipality, wherein said plans and written materials shall form an appendix(s) to this Agreement.
9. That the Developer shall supply the Municipality with proof of compliance to the agreed upon basement elevation of the Building prior to the issuance of the "Building Permit" for the Building by the Municipality.

- 10a) That within thirty (30) days of the issuance of the "Occupancy Permit" for the Building, the Developer shall bring the Property to its agreed upon final grade and condition and shall not from that point onward alter the final grade or condition of the Property without consent of the Municipality.
- (b) Notwithstanding subsection (a), where the Developer intends to obtain a separate Occupancy Permit for each floor of the Building, the Chief Building Inspector for the Municipality shall withhold the issuance of the final Occupancy Permit for the Building until such time as the property has been brought to its agreed upon final grade and condition, and upon the issuance of said Occupancy Permit, the Developer shall not alter or cause to have altered the grade or condition of the Property without the consent of the Municipality.
11. For the purposes of this Agreement, all words shall carry their customary meaning except those defined under Part 2 of the Zoning By-law for Sackville where such words shall carry the meaning defined therein.
12. Subject to the provisions of this Agreement, the Developer shall be bound by all by-laws and regulations of the Municipality as well as by any applicable statutes and regulations of the Province of Nova Scotia.
13. Upon breach by the Developer of any of the terms or conditions of this Agreement, the Municipality may, after thirty days notice in writing to the Developer of the breach, enter and perform any of the terms and conditions of the Agreement. It is agreed that all reasonable expenses, whether arising out of the entry or from the performance of the terms and conditions may be recovered from the Developer by direct suit and shall form a charge upon the Property.
14. This Agreement shall run with the land and be binding upon the Developer's heirs, assigns, mortgagees, lessees, successors, and occupiers of the Property from time to time.
15. This Agreement shall be filed by the Municipality in the Registry of Deeds at Halifax, Nova Scotia, and shall form a charge or encumbrance upon the Property.
16. The Developer shall pay the costs of recording and filing all documents in connection with this Agreement.
17. The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not prejudice the validity or enforceability of any other provisions.

APPENDIX "A"



LOT "A"
LANDS OF T.L. COCK

LOT AF4
LANDS OF A.D. FADER & F.P. FADER

Portion of Lot "A" to be
added to Lot "AF4"

Sackville
Cross
Road

Scale -
1" = 20'

RA11

STAFF REPORT

TO: The Planning Advisory Committee
FROM: Department of Planning & Development
DATE: February 20, 1986
APPLICATION NO: RA-EP/CB-02-85-06

Kurt W. Dierckx
DIRECTOR

A. S. Wilson
Acting C.A.O.

RECOMMENDATION

THAT THE REZONING OF A PORTION LANDS OF THE FLANDRUM HILL SUBDIVISION, LOCATED OFF THE PATTERSON ROAD AT COW BAY, FROM R-7 (RURAL ESTATE) ZONE TO R-6 (RURAL RESIDENTIAL) ZONE, BE APPROVED BY MUNICIPAL COUNCIL.

General Information

An application has been submitted by MacWilliams Engineering Limited to rezone the lands identified in Figure No.2 (p5), to R-6 (Rural Residential) Zone. The present zoning requires a minimum lot size of 80,000 square feet. The purpose of the rezoning is to allow lots to be created at a size approved by the provincial Departments of Health and the Environment. As a requirement for this type of rezoning, the applicant has submitted a tentative plan of subdivision for the approval of 19 lots.

Description

MPS: Eastern Passage/Cow Bay
Area: Approximately 17.7 acres.
Dimensions: As illustrated by Figure No. 2. (p.5)
Features: - lands slope upwards from the Dyke Road to the crest of a moderately high knoll located near the centre of the subject property;
- heavily treed with a mixture of hard and softwoods;
- no visible signs of poor or impaired drainage.

Surrounding
Uses and Zoning: As illustrated by Figure No. 2. (p.5)

ANALYSIS

The municipal planning strategy for Eastern Passage/ Cow Bay designates the property "Residential B" which constitutes a secondary area for residential development. Within the designation there are uncertainties about soil capabilities and the ability of on-site septic systems to function properly. This has lead to concerns that development will increase pollution loads, andthereby decrease the environmental quality of the area in general. In addition, recognition is given in the plan to the possibility that the construction of new roads to open up backlands in the designation may have a significant effect on the physical form and social character of the community.

Notwithstanding these concerns, the plan recognizes it is reasonable to allow residential development on lots having less than 80,000 square feet, when it can be shown that the physical, social and environmental characteristics of the area will not be adversely affected. To this end, the planning strategy provides for development on smaller lots by amendment to the land use by-law.

With respect to this application, protection of the environmental qualities of the site and surrounding lands are considered to be of primary importance. The Departments of Health and the Environment have indicated approval of the applicant's tentative plan of subdivision. The Departments have stated that soil and ground water conditions in the area are adequate to support development on lots with areas in the 30,000 to 50,000 square foot range. This is beyond the 20,000 square foot minimums permitted by the land use by-law and will ensure the protection of surrounding land uses.

The plan also recognizes that the construction of new roads to open up presently unaccessible lands may adversely effect community form. As illustrated by Figure No. 2 (p 5.), existing development is located along the Dyke Road. The applicant's intention to shift development in the area to a more concentrated infilling situation is considered to be in conformity with the intent of the plan. Such development patterns should be encouraged in light of the Municipality's ability to improve the delivery of such fundamental services as police and fire protection, school busing and public transit.

The Department of Transportation has approved the applicant's tentative road layout. The street network has been designed to provide future access to abutting lands, a portion of which are owned by the applicant.

CONCLUSION

While the general intent of the Residential "B" designation is to keep the density of new developments relatively low, it also functions to provide an opportunity to evaluate the physical, social and environmental effects of new developments on the existing community. The plan has anticipated the eventual demand for housing within the designation and requires careful consideration of the issues forming Appendix "A" and Appendix "B" of this report.

The Department of Planning and Development has based its review of the proposed subdivision on these issues and has concluded that the development conforms with the intent of the planning strategy.

FIGURE NO. 1 - KEY PLAN AND DISTRICT PLAN

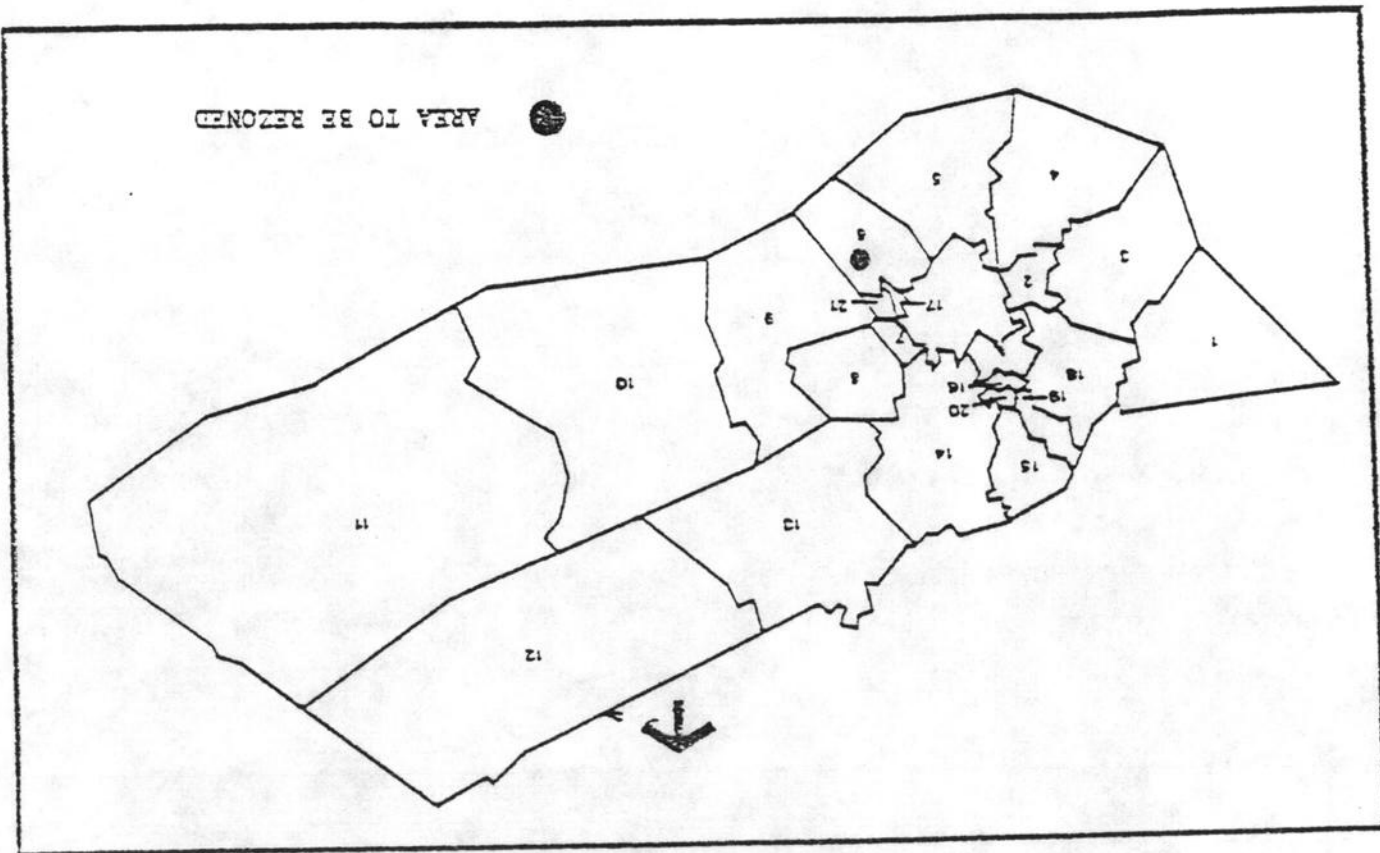
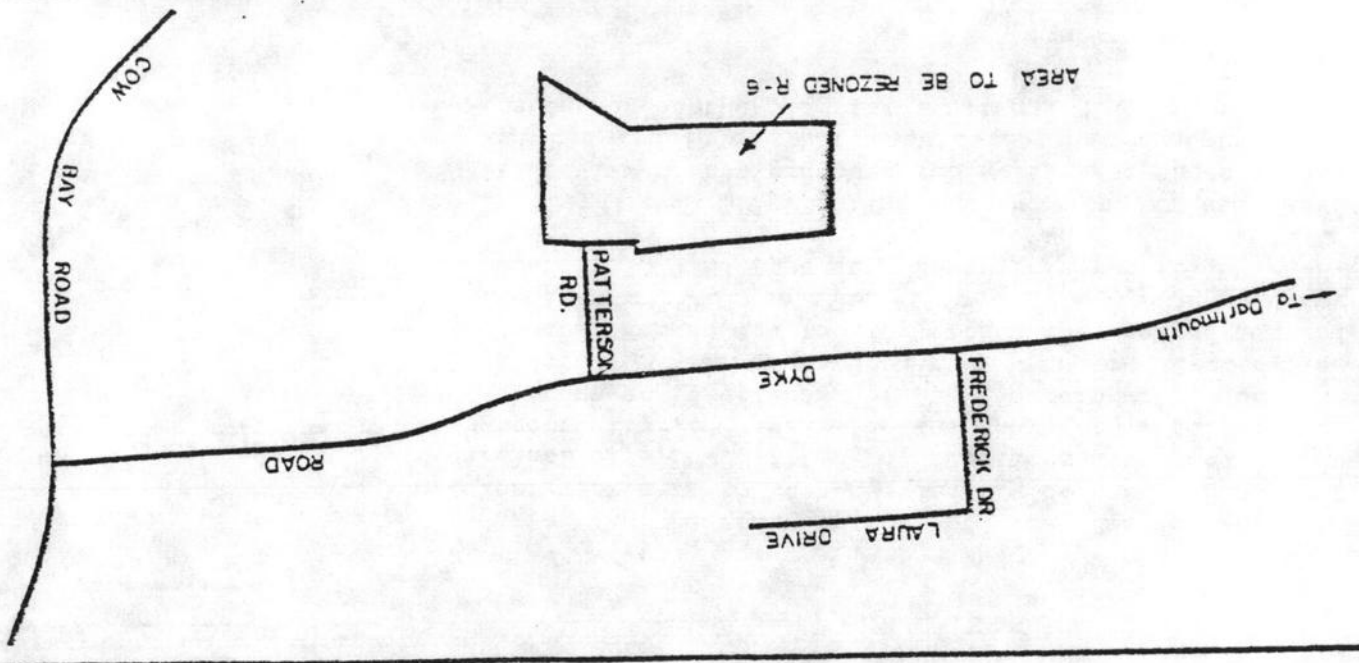
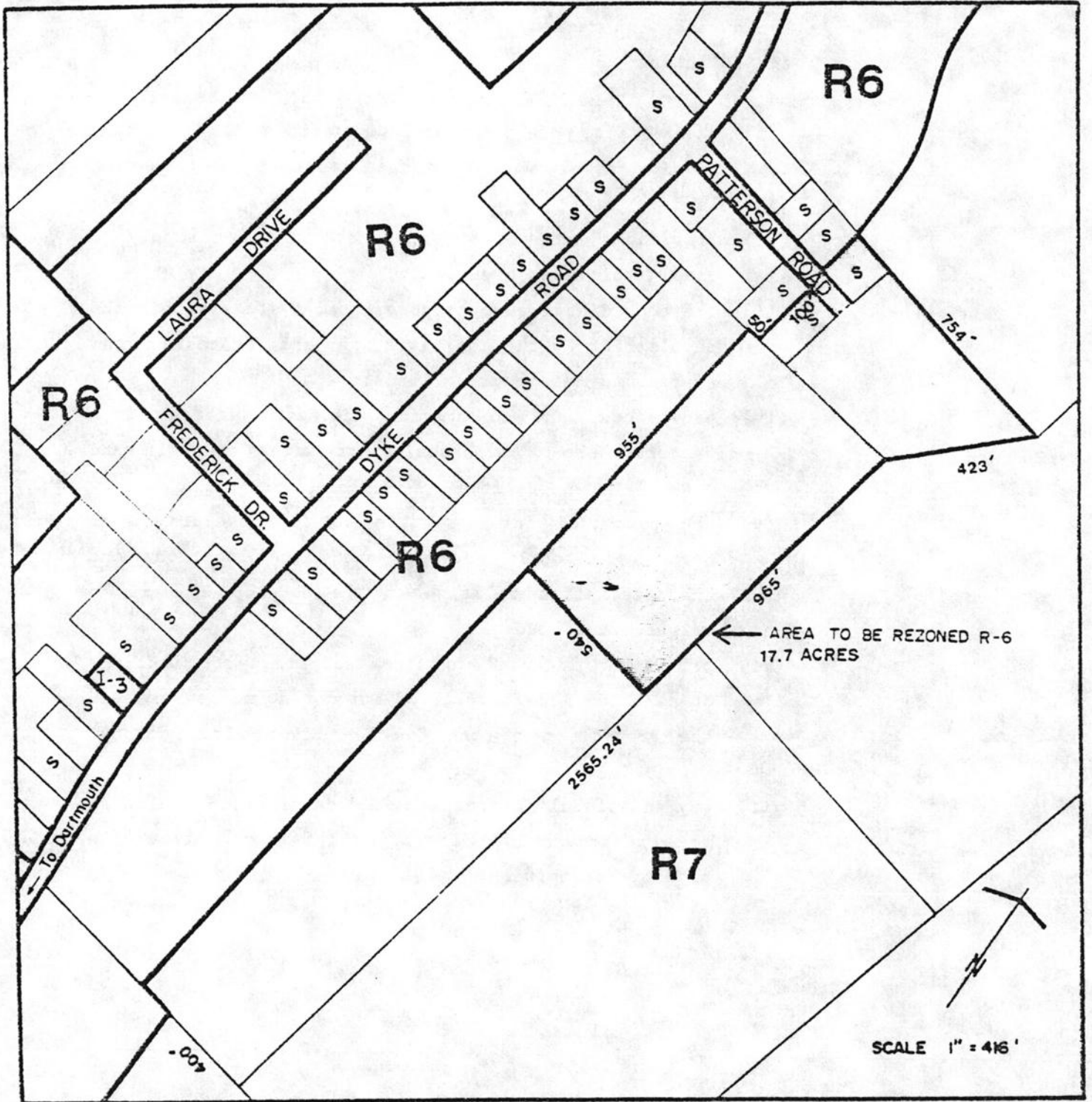


FIGURE NO. 2 - SURROUNDING LAND USES AND ZONING



APPENDIX A

P-40 Notwithstanding Policy P-39, Council may consider permitting residential development within the Residential B Designation on lots which have an area of less than eighty thousand (80,000) square feet, by amendment to the zoning by-law and with regard to the provisions of Policy P-88 and the following:

- (i) the effects of the development upon the existing on-site sewer and water facilities of neighbouring lands;
- (ii) provisions made to ensure a potable water supply to uses within the development;
- (iii) the co-ordination of proposed road systems within the development with the existing and proposed road systems of neighbouring lands;
- (iv) provisions made to provide adequate setbacks from watercourses to maintain storm water channels and general water quality;
- (v) the potential for expansion of the development in terms of total acreage and its location and characteristics relative to the development and to neighbouring lands;
- (vi) provisions intended for the dedication of parklands or cash-in-lieu in terms of optimum community use and the protection of the Cow Bay River, Smelt Brook, Morris Lake and Cow Bay Pond; and
- (vii) any additional information, and information relating to (i) through (vi) above, as shown on a tentative plan of subdivision.

APPENDIX B

P-88 In considering development agreements and amendments to the zoning by-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:

- (i) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;
- (ii) that the proposal is not premature or inappropriate by reason of:
 - (a) the financial capability of the Municipality to absorb any costs relating to the development;
 - (b) the adequacy of sewerage and water services;
 - (c) the adequacy or proximity of school, recreation or other community facilities;
 - (d) the adequacy of road networks leading or adjacent to or within the development; and
 - (e) the potential for damage to or for destruction of designated historic buildings and sites.
- (iii) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
 - (a) type of use;
 - (b) height, bulk and lot coverage of any proposed building;
 - (c) traffic generation, access to and egress from the site, and parking;
 - (d) open storage;
 - (e) signs; and
 - (f) any other relevant matter of planning concern.
- (iv) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.

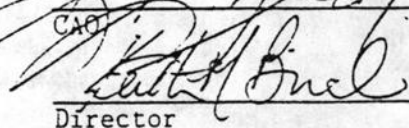
LPZ

TO: Planning Advisory Committee
FROM: Department of Planning & Development
DATE: February 26, 1986
RE: Zoning Maps

AMENDMENTS TO THE ZONING
BY-LAW FOR COLE HARBOUR/WESTPHAL



CAO



Director

In the preparation of a recent rezoning report, an error in a zoning map in the Cole Harbour/Westphal Land Use By-law was discovered. It is recommended that Municipal Council rectify the errors as per the attached appendixes.

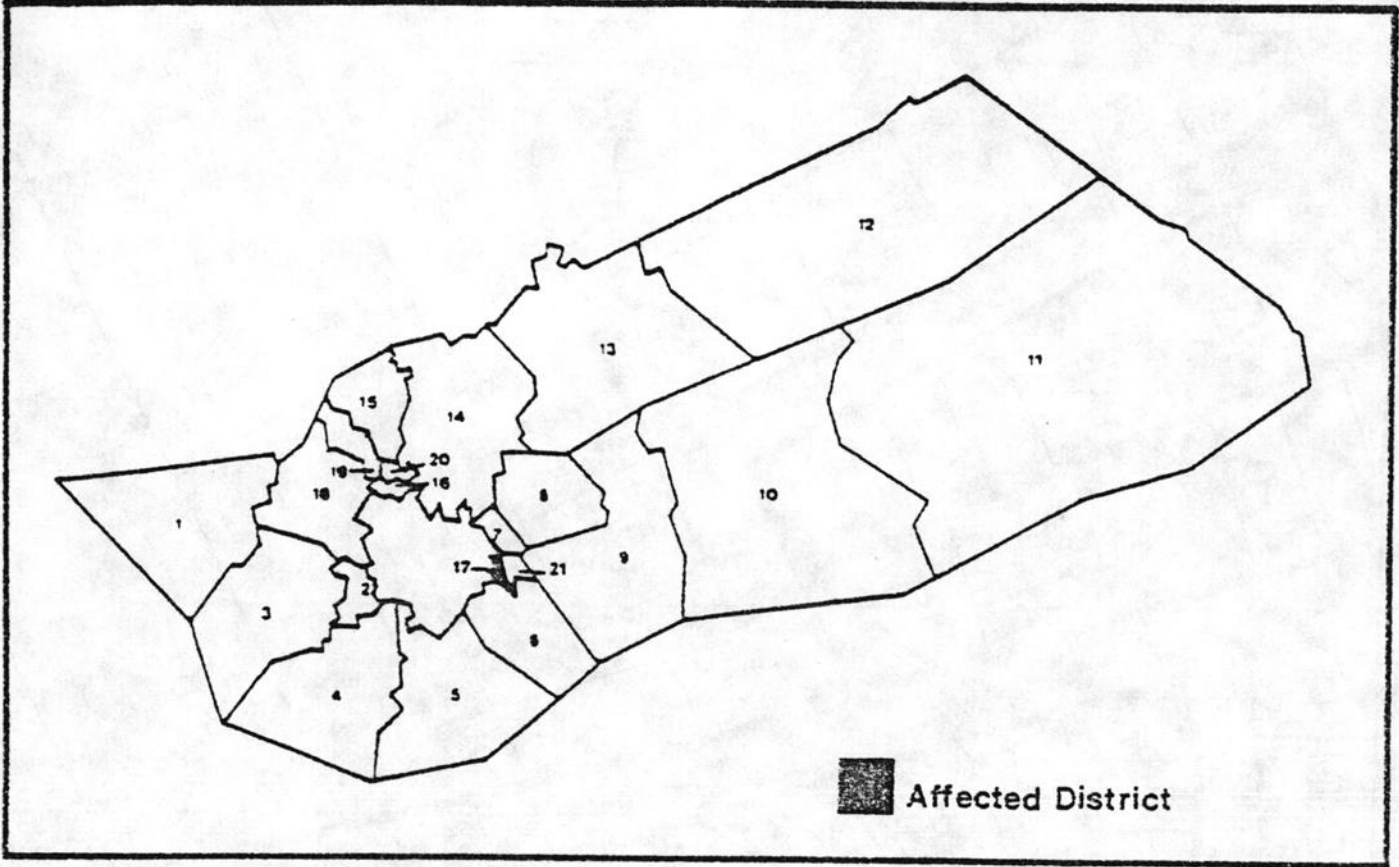
A BY-LAW TO AMEND THE ZONING BY-LAW

FOR COLE HARBOUR/WESTPHAL

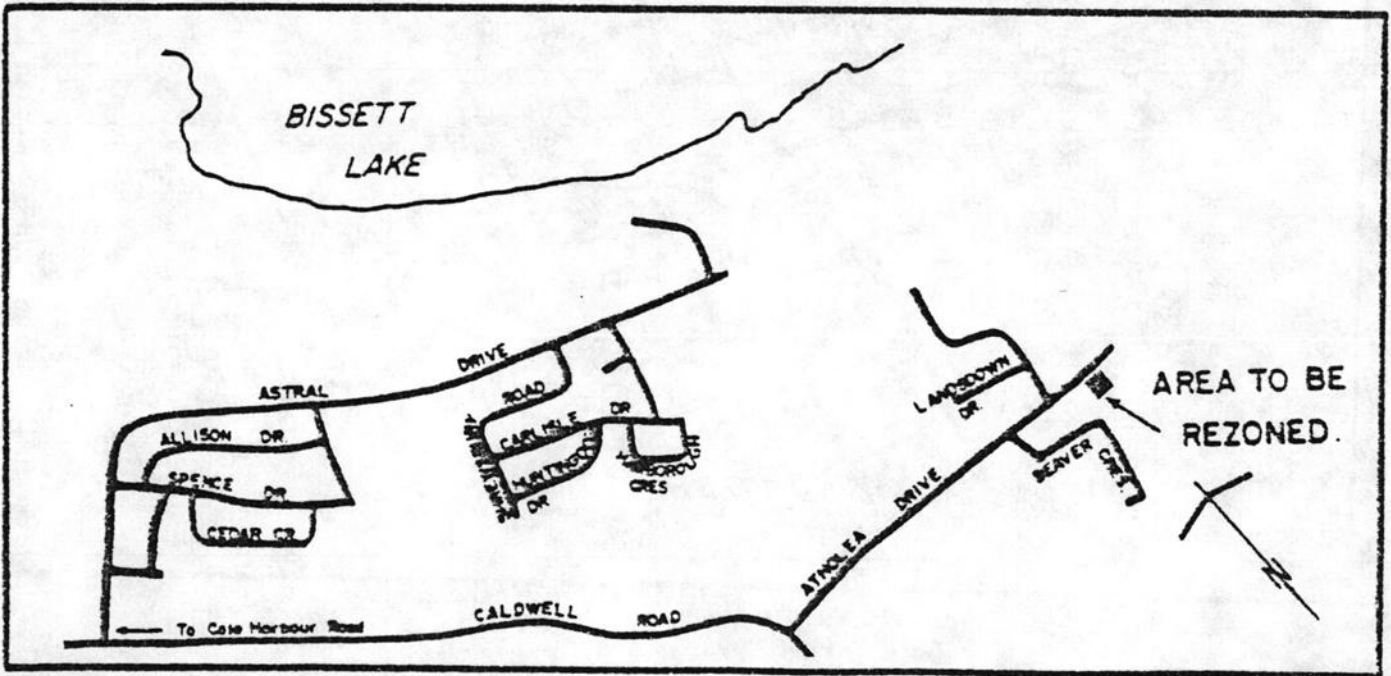
The Zoning By-law for Cole Harbour/Westphal is hereby amended by:

- a) amending Schedule "C" by rezoning the lands of the Cole Harbour Boys Club, being lot 195XY of the DeSaid Lake Subdivision, located on Atholea Drive from R-2 (Two Unit Dwelling) Zone to P-2 (Community Facility) Zone as shown on the attached Appendix "A".

MAP 1 RA-CH/W-23-86-17



MAP 2

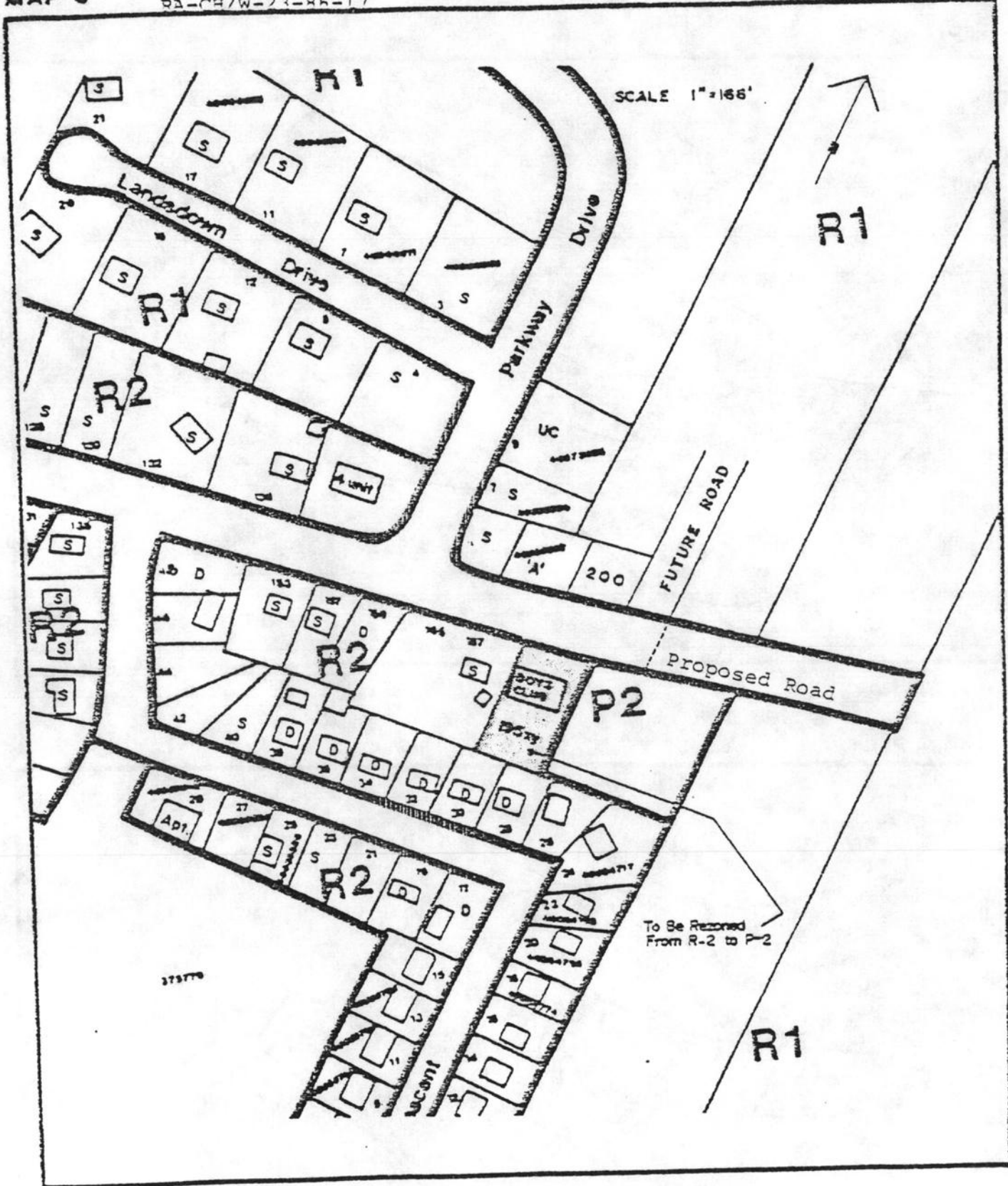


APPENDIX "A"

MAP 3

RA-CH/W-23-86-17

Rezoning from R-2 to P-2



A BY-LAW TO AMEND THE ZONING BY-LAW

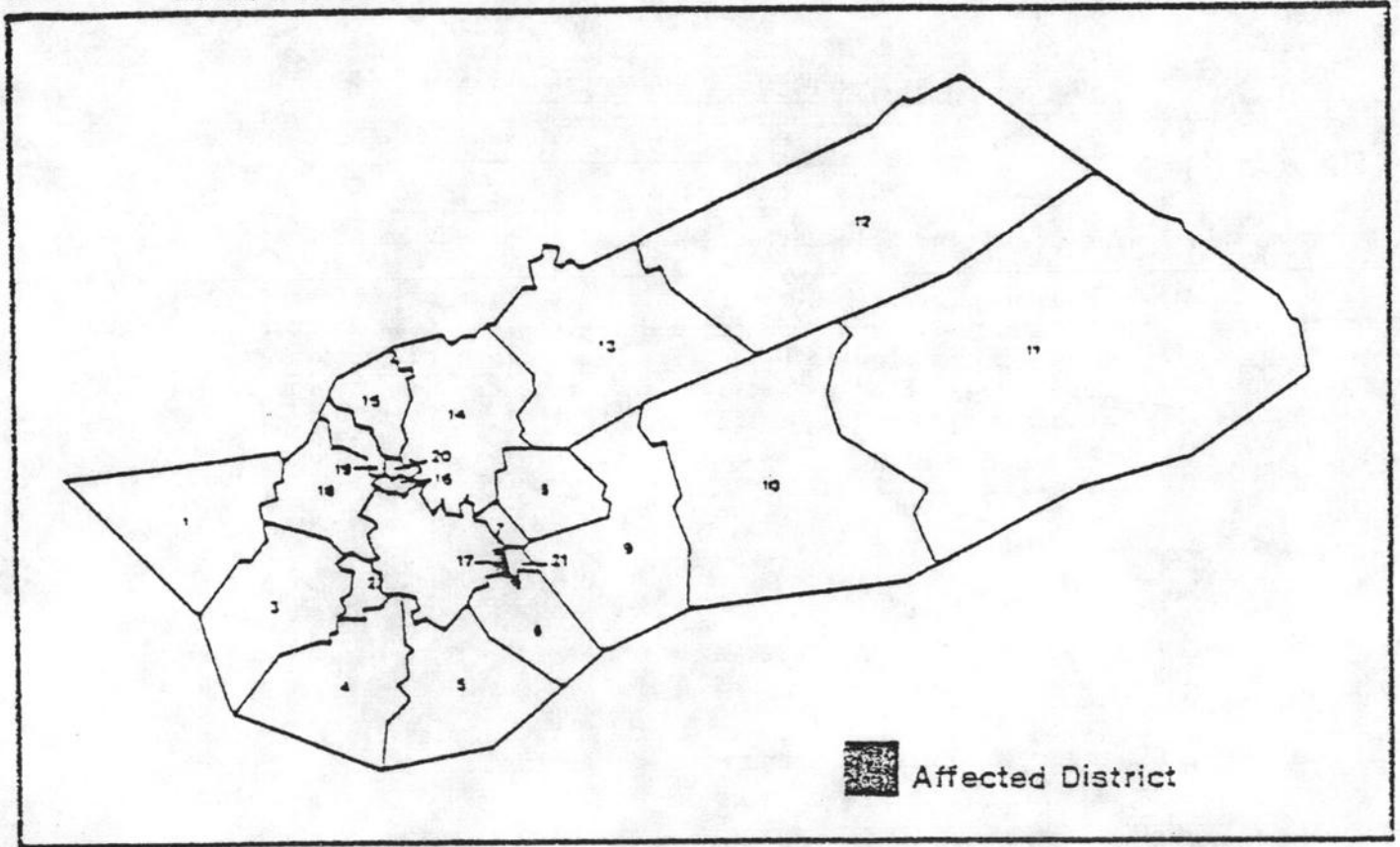
FOR COLE HARBOUR/WESTPHAL

The Zoning By-law for Cole Harbour/Westphal is hereby amended by:

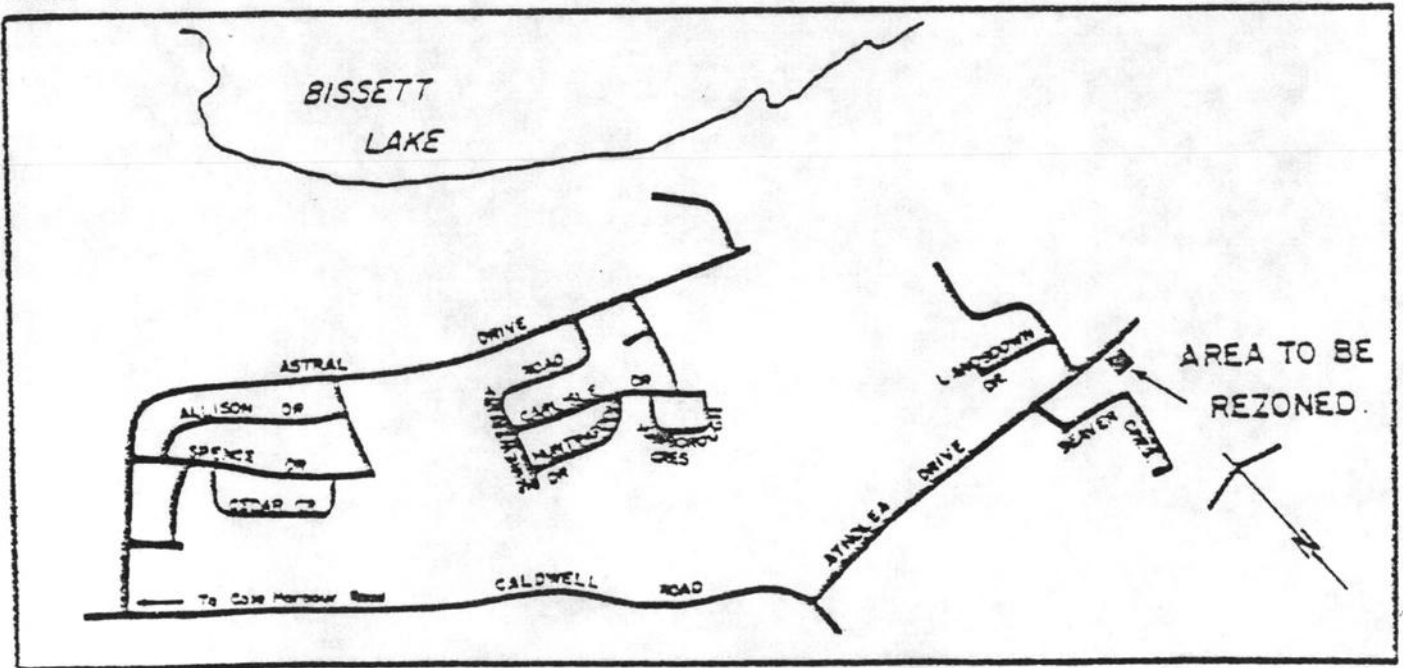
- a) amending Schedule "C" by rezoning a portion of the lands of Charles Reardon, located adjacent to the Cole Harbour Boys Club on Atholea Drive from P-2 (Community Facility) Zone to R-1 (Single Unit Dwelling) Zone as shown on the attached Appendix "A".

MAP 1

RA-CH/W-24-86-17



MAP 2

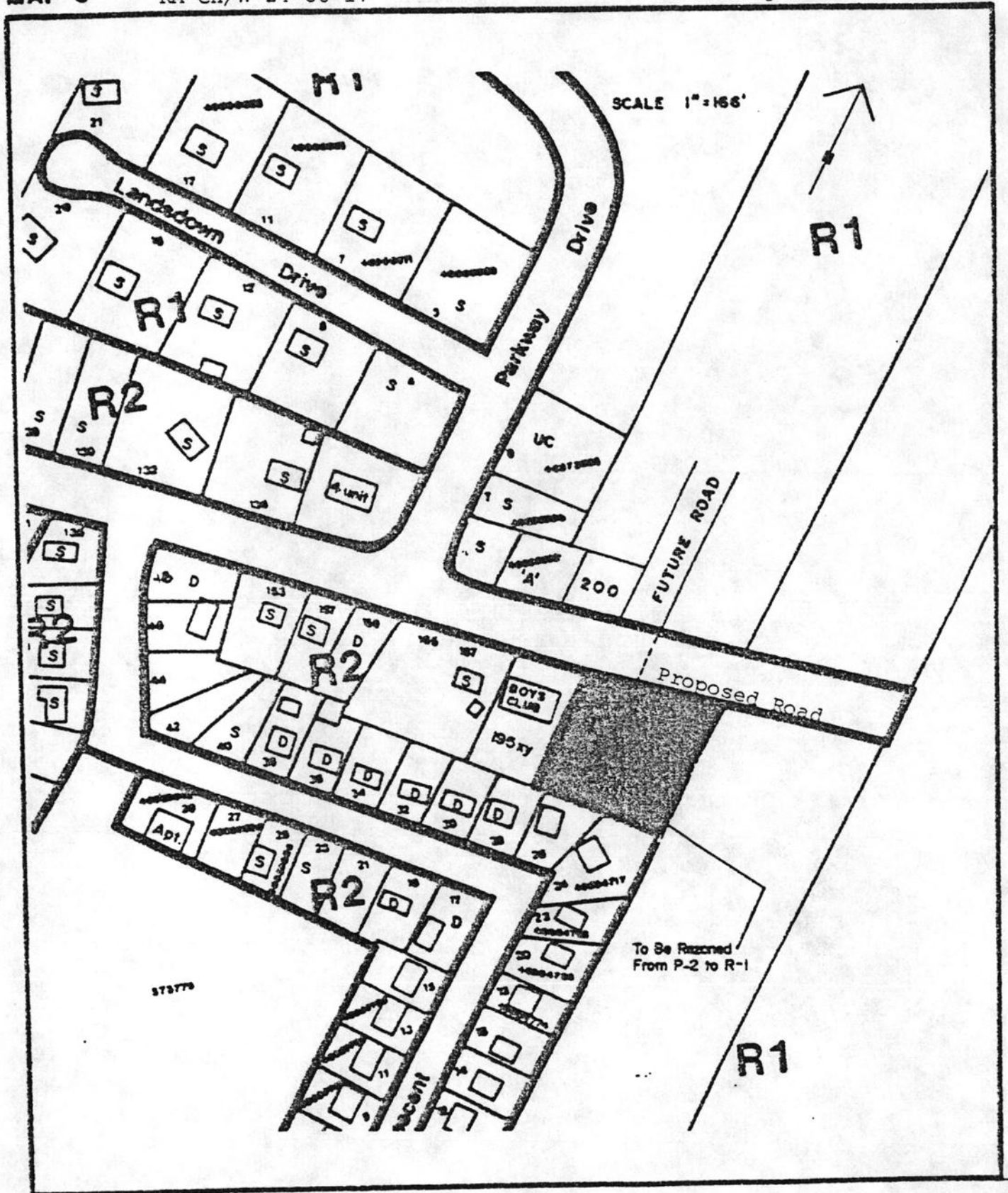


APPENDIX "A"

MAP 3

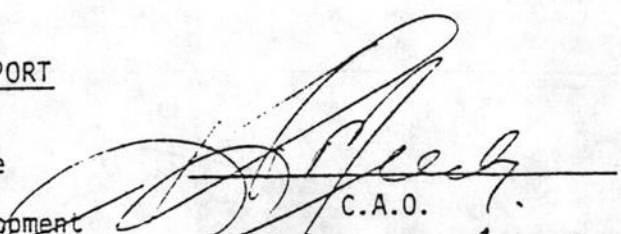
RA-CH/W-24-86-17

Rezoning from P-2 to R-1



STAFF REPORT

TO: The Planning Advisory Committee
FROM: Department of Planning & Development
RE: Interim Industrial Zoning - Airport Area
DATE: March 17, 1986

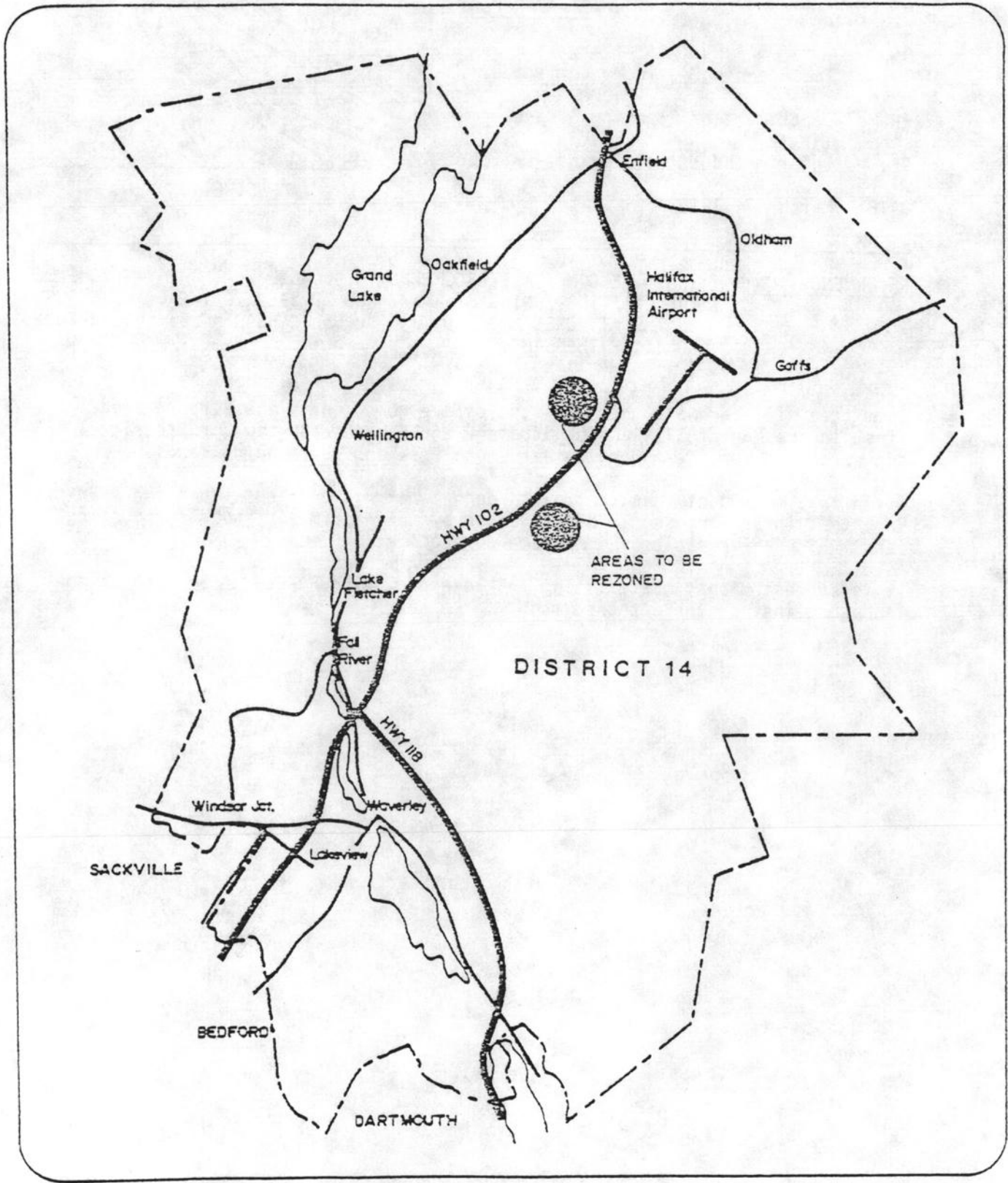

C.A.O.
Keith H. Brice
DIRECTOR

RECOMMENDATION: THAT THE COMMITTEE RECOMMEND TO COUNCIL THAT THE I-3 ZONE OF THE EXISTING ZONING BY-LAW 24 BE APPLIED TO THE LANDS SHOWN ON THE ATTACHED MAP AND THAT A PUBLIC HEARING BE CALLED TO CONSIDER THE SAME.

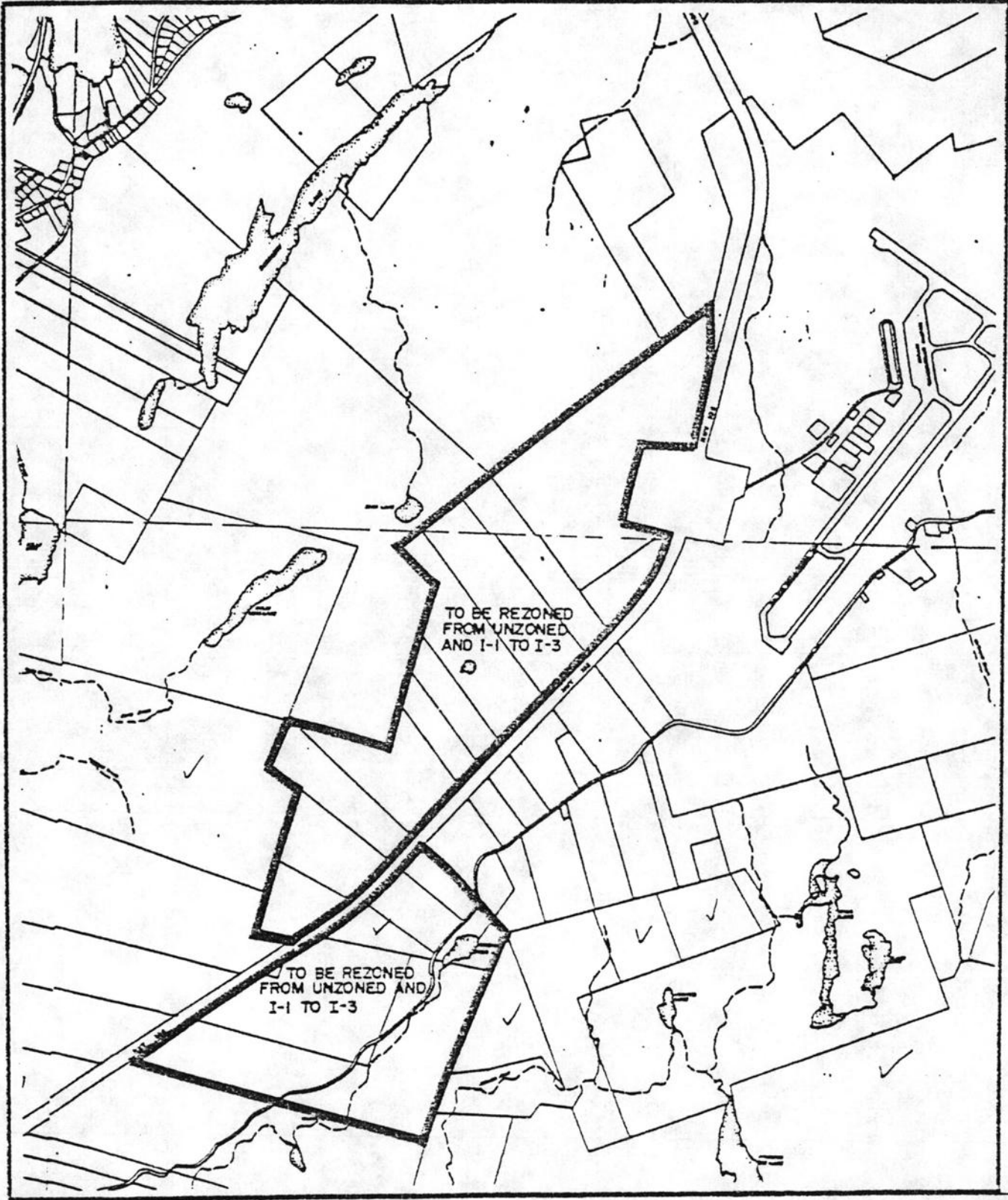
Committee will be aware that two studies are going on in the Airport area. The first is the Municipal Planning Strategy and Land Use By-Law for District 14; the second is for the zoning on Aero-tech Park and surrounding lands.

Given that the County has control through ownership on land within the Aero-tech Park, that investment should be protected by an interim zoning on surrounding lands which are capable of immediate development.

It is suggested that the existing I-3 Zone of Zoning By-Law 24 be applied to lands outlined on the attached map.



MAP 3



PART 20.1: I-3 (LIGHT INDUSTRIAL) ZONE (Amendment effective August 18, 1985)

20.1.1 I-3 USES PERMITTED

No person shall erect, alter, repair, maintain or use any building in whole or in part, or use any land in an I-3 Zone for any other purpose than one (l) or more of the following uses:

- (a) Heavy machinery sales and service;
- (b) Light manufacturing, assembly or processing plants;
- (c) Service industries;
- (d) Transport facilities and terminals;
- (e) Warehousing and wholesale operations;
- (f) Building supply outlets;
- (g) Greenhouses and nurseries;
- (h) Office and retail uses accessory to any permitted use;
- (i) Park and Institutional uses;
- (j) Union halls and first aid stations;
- (k) Eat-in restaurants and cafeterias not exceeding 2,000 square feet in gross floor area; and
- (l) Parking lots and parking structures.

20.1.2 I-3 ZONE REQUIREMENTS

- (a) Buildings erected, altered, repaired, maintained or used for I-3 uses in the I-3 Zone shall comply with the following requirements:

Minimum Lot Area	30,000 square feet
Minimum Lot Frontage	100 feet
Minimum Front or Flankage Yard	50 feet
Minimum Side or Rear Yard	15 feet
Maximum Lot Coverage	70 per cent
Minimum Width and Length of Main Building	20 feet

- (b) Notwithstanding the provisions of subsection (a), where industrial uses involve railway transportation in any I-3 Zone, and the rear and side yards required by this By-law prohibit direct access to such ways, the impeding rear or side yard requirements shall be waived and such yards shall be used in the most safe and efficient manner to accommodate the transportation of goods and materials.

20.1.3 OTHER REQUIREMENTS: OPEN STORAGE AND OUTDOOR DISPLAY

Where any portion of any lot in an I-3 Zone is to be used for open storage or outdoor display, the following shall apply:

- (a) The area devoted to open storage shall not exceed fifty (50) per cent of the lot area;
- (b) No open storage shall be permitted in any required yard;
- (c) No open storage of any scrap, toxic or waste materials shall be permitted;
- (d) Where any side, flankage or rear yard of a lot in an I-3 Zone abuts a public right-of-way or lot having a residential or park and institutional zone, no open storage shall be permitted, except where a visual barrier or fence, measuring at least six (6) feet in height and being of a type and design that will serve as a visual barrier has been provided.
- (e) No outdoor display shall be permitted in any required yard where the yard abuts a residential or park and institutional zone, except where a visual barrier or fence, measuring six (6) feet in height and being of a type and design that will serve as a visual barrier has been provided.
- (f) No outdoor display shall be permitted within twenty (20) feet of the front lot line.
- (g) No outdoor display shall be permitted in any area designated for off-street parking or loading.

20.1.4

OTHER REQUIREMENTS: OFF-STREET PARKING AND LOADING

- (a) Notwithstanding the requirements of Sections 11 and 12, for every main building to be erected or enlarged in an I-3 Zone, off-street parking located on the same lot and having independent access to a public street shall be provided in conformity with the following requirements:
 - (i) Parking shall be provided at a rate of:
 - .5 space per one thousand (1,000) square feet of area devoted to warehousing, indoor storage, manufacturing, assembly and processing;
 - PLUS -
 - 1 space per three hundred (300) square feet of office space;
 - PLUS -
 - 3.3 spaces per one thousand (1,000) square feet of retail space.

- (ii) Parking lots shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles
- (iii) Lights used for illumination of a parking lot shall be so arranged as to divert the light away from streets, adjacent lots and buildings.
- (iv) Approaches or driveways shall be not closer than fifty (50) feet from the limits of the right-of-way at a street intersection;
- (v) Entrance and exit ramps to a parking lot shall not exceed two (2) in number and each such ramp shall be a width of twenty-five (25) feet at the street line and edge of pavement; and
- (vi) The width of a driveway leading to a parking lot or loading space or of a driveway or aisle in a parking lot, shall be a minimum of ten (10) feet if for one-way traffic, and a minimum of twenty (20) feet if for two-way traffic, and the maximum width of a driveway shall be thirty-five (35) feet.
- (vii) No gasoline pumps shall be located or maintained on a parking lot;
- (viii) One off-street space for standing, loading and unloading shall be provided for every twenty thousand (20,000) square feet or a fraction thereof of gross floor area of any main building to a maximum of six (6) loading spaces.
- (ix) The provisions of a loading space for any building with less than fifteen hundred (1,500) square feet shall be optional.
- (x) Each loading space shall be at least twelve (12) feet by twenty-five (25) feet with a minimum of fourteen (14) feet height clearance.
- (xi) Loading space areas, including driveways leading thereunto, shall be constructed of and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- (xii) No portion of any parking lot or loading spaces shall be located within twenty (20) feet of the front lot line or within ten (10) feet of any rear or side lot line where the lot line abuts a residential or park and institutional zone.

(xiii) Lands lying between the front lot line and the limits of a parking lot or loading space shall be brought to a level or consistent grade and for the purpose of stabilizing soil conditions shall be landscaped with seed, sod, trees or any combination thereof.

(b) Notwithstanding the requirements of clause (1) of subsection (a), where a parking lot or parking structure has been established as a main use of land, and where the parking lot or parking structure contains a minimum of two hundred (200) parking spaces, the required number of parking spaces for uses with three hundred (300) feet of the lot or structure shall be reduced by one-half.

David F. Barrett
Woodlands Manager

Hugh A. Barrett
Mill Manager

Keith H.W. Barrett
Sales & Administrative Mgr.

BARRETT LUMBER CO. LTD.

262 Beaver Bank Cross Road
Lower Sackville, N.S.
B4E 1K5
865-2330

A Family Owned Business Since 1888

"From tree planting to finished lumber"

May 26, 1986

Municipality of the County of Halifax,
P.O. Box 300
Armdale, Nova Scotia
B3L 4K3

Attn. Mr. Gerry Kelly, Clerk

Re Interim Industrial Zoning - Airport Area

Dear Sir:

Until the report of the PPC committee for the Waverley area is completed we wish to leave our property as it is now. Would you therefore please exclude our property as indicated in yellow on the attached plan.

Yours truly,

David F. Barrett
David F. Barrett
Secretary/Woodlands Manager

Encl.

• DRESSED LUMBER

• ROUGH LUMBER

• ROOF TRUSSES

• PLYWOOD

• ROOF SHINGLES

• NAILS

• CORRUGATED PLASTIC CULVERT

• TTS WOOD 1" BEAM

• SAWDUST

• BALED SHAVINGS

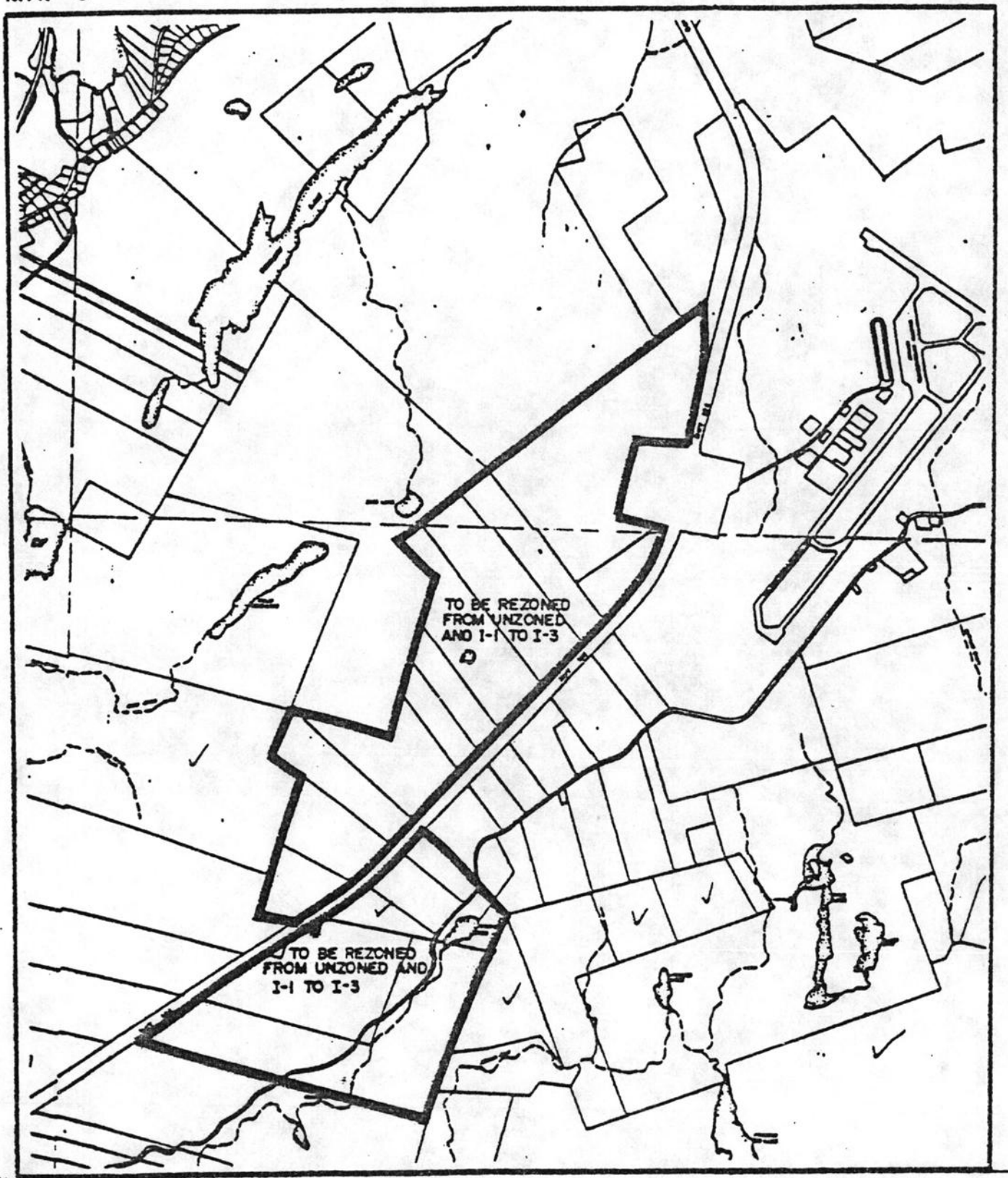


MEMBER OF

MARITIME LUMBER BUREAU (MLB)
NOVA SCOTIA FOREST PRODUCTS ASSOCIATION (NSFPA)
WOOD PRODUCT MANUFACTURERS ASSOCIATION OF N.S. (WPMANS)
NOVA SCOTIA HOME BUILDERS ASSOCIATION (NSHBA)
ATLANTIC BUILDING SUPPLY DEALERS ASSOCIATION (ABSDA)
CANADIAN FEDERATION OF INDEPENDENT BUSINESS (C FIB)



MAP 3



Airport Hotel,

Halifax Limited

P.O. Box 250 Enfield, Nova Scotia, B0N 1N0, Tel. (902) 861-1360 Telex 019-22815
873-3000

April 30, 1986

Municipality of the County of Halifax
Department of Planning and Development
P.O. Box 300
Armdale, Halifax, Nova Scotia
B3L 4K3

ATTENTION: Mr. J. Michael Hanusiak, Planning Policy Division

Dear Sir:

RE: Interim Industrial Zoning - Airport Area

Further to our meeting in your office of yesterday, we confirm that we are in agreement with the proposed re-zoning which will include several parcels of our land.

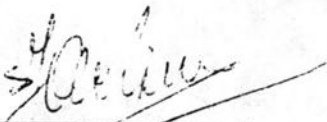
There is one exception, however. We respectfully request that a parcel of land, approximately 8 acres, with the Hotel on it, be excluded from the re-zoning (Airport Hotel, Halifax Limited).

The reason for our request is not to complicate any application for extensions to our Hotel, which we may do in the future.

This whole parcel of land will be used for Hotel services only and no other use is contemplated.

The undersigned will be attending the Council meeting and will be able to answer any questions, if required.

Yours truly,



Stefan Jachimowicz
President

SJ/lo

MINUTES & REPORTS

OF THE

FIRST YEAR MEETINGS

OF THE

FORTY - SECOND COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

JUNE COUNCIL SESSION

TUESDAY, JUNE 3 and 17, 1986

&

COMMITTEE OF THE WHOLE

JUNE 10 and 17, 1986

&

PUBLIC HEARINGS

JUNE 16 and 23, 1986

June Council Session - 1986

I N D E X

Chief Building Inspectors Report -----	8 & 30
C.P. Allen Sports Field - General Parkland Fund -----	29
C.N. Committee Report -----	31
Cole Harbour Place -----	31-34
District Capital Grants -----	5-7 & 29-30
Director of Development Report -----	27
District Parkland Fund Grant and General Parkland Grant Fund-----	27
General Parkland Grant -----	6
Guarantee Resolution - Metropolitan Authority -----	7-8
Grace Maternity Hospital - Funds -----	13-15
Grants to Organizations -----	27-28
Grants - Ballfields, Lower Sackville -----	28-29
Motion - Appointment of Recording Secretary -----	1 & 12
Motion - Approval of Minutes -----	1-2 & 12-13
Motion - Letters & Correspondence -----	2-3 & 25
Motion - Letter re Salting, Beaver Bank Road -----	2
Motion - Dates for Public Hearings -----	3-4 & 25-27
Motion - Amendment re Tax Exemption By-Law -----	5
Motion - Canadian Parks Recreation Assoca. Conference -----	5
Motion - District Capital Grants -----	5-7 & 29-30
Motion - General Parkland Grant -----	6
Motion - Guarantee Resolution, Metropolitan Authority -----	7-8
Motion - Amendment re Ocean View Manor By-Law -----	8
Motion - Chief Building Inspector Report -----	8 & 30
Motion - Municipal Lottery -----	9 - 10
Motion - Public Service Commission Lands -----	10 & 35-36
Motion - Adjournment -----	11 & 36
Motion - Funds re Grace Maternity Hospital -----	13-15
Motion - Undersized Lot, Harold P. Connor -----	19-20
Motion - Director of Development Report -----	27
Motion - District Parkland Fund Grant and General Parkland Grant Fund -----	27
Motion - Grants to Organizations -----	27-28
Motion - Grants re Ballfields, Lower Sackville -----	28-29
Motion - General Parkland Fund, C.P. Allen Sports Field -----	29
Motion - Report re Sludge Management -----	30-31
Motion - CN Committee Report -----	31
Motion - Cole Harbour Place -----	31-34
Motion - Redistribution Committee Report -----	34
Motion - County Lands Bissett Road -----	35
Motion - Senior Citizens Housing -----	36
Ocean View Manor - By-Law Amendments -----	8
Public Hearings - Dates -----	3-4 & 25-27
Public Service Commission Lands -----	10 & 35-36
Redistribution Committee Report -----	34

Index
June Council Session - 1986
Page 2

Sludge Management - Report -----	31
Senior Citizens Housing -----	36
Tax Exemptions By-Law - Amendments -----	5
Undersized Lot - Harold P. Connor -----	19-20

COUNCIL SESSION

JUNE 3, 1986

PRESENT WERE: Councillor Poirier
Councillor Fralick
Councillor P. Baker
Councillor C. Baker
Councillor Adams
Councillor Reid
Councillor Lichter
Councillor Merrigan
Councillor MacKay
Councillor MacDonald
Deputy Warden Wiseman
Councillor Mont

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

SECRETARY: Glenda Higgins

Deputy Warden Wiseman called the Council Session to order at 6:15 p.m.
with the Lord's Prayer.

Mr. Kelly called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Glenda Higgins be appointed as Recording Secretary."
MOTION CARRIED.

APPROVAL OF MINUTES

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

"THAT the minutes of the May 1, 1986 Committee of the Whole
meeting be approved as circulated."
MOTION CARRIED.

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

"THAT the minutes of the Public Hearing of May 5, 1986 be approved
as circulated."
MOTION CARRIED.

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

"THAT the minutes of the May 6, 1986 Regular Session of Council be approved as circulated."
MOTION CARRIED.

AGENDA ITEMS

Councillor P. Baker - Public Service Commission Lands, District 4

LETTERS AND CORRESPONDENCE

Department of Transportation

Mr. Kelly advised the first letter was from the Minister of Transportation in response to a number of inquiries with regard to the use of sand/salt on the Beaverbank Road, the speed limit in the Middle Beaverbank area, the Department's policy for the use of sand and salt in the areas of the Eastern Shore, and snow removal in the Cole Harbour area.

Councillor Merrigan felt that another letter should be sent to the Department of Transportation asking about the number of wells that are effected by salting the roads in Beaverbank. He understood there were only three, at the most, and he did not feel the Department of Transportation was justified by this to say there cannot be salt on the Beaverbank Road.

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

"THAT a another letter be sent to the Department of Transportation asking for further clarification on why they cannot put salt on the Beaverbank Road."

Councillor Poirier felt it was the policy of the Department of Transportation to not put salt on the road if any wells are effected. She did not think the Department would change this policy unless it applied to the entire County.

Councillor Adams expressed difficulty with the content of the letter on page 2. He stated that people were looking for a policy for the Eastern Shore because the No. 7 Highway had been sanded this past winter, until the question of policy was directed to the attention of the Department of Transportation. From that time on, the roads were salted. Councillor Adams felt there was no policy in place, and that the matter should be clarified.

Councillor Merrigan stated that the letter does not say it is their policy not to put salt on the Beaverbank Road; they are saying it is because the salt affects some wells. Councillor Merrigan did not believe the Department of Transportation has a policy saying that roads will not be salted where wells are affected.

Councillor C. Baker informed that sand contains some salt. He stated that he worked for 18 years with the Department of Transportation, and sand was mixed with salt in order to be effective.

MOTION CARRIED.

Department of Education

Mr. Kelly advised this letter was with regard to the Cole Harbour Branch Library Proposal. He also advised that a copy of this letter had been provided to the Library Board, and they have dealt with it.

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

"THAT this item of correspondence be received."

Councillor Poirier commented on the Minister's statement that the County has agreed to provide the necessary funds for the establishment of a new library. She agreed that the County has supported something in principle, but not the funds. She expressed objection to his comments.

Councillor Mont clarified that the Minister of Education was not referring to the library in Cole Harbour Place. He stated that the Minister might not even be aware of where the proposed library is going to be located. He clarified that the Minister was referring to a letter written to him saying that the County is prepared to pay its capital costs, although it is not going to be done this year because the funding is not available. However, the County is prepared to fund a library in Cole Harbour in the future.

Mr. Meech stated that there was a resolution adopted by Council indicating they are prepared to proceed to provide the branch library in Cole Harbour, and this was on the basis that it would not be until 1987.

Councillor Poirier felt this should be looked into further; she stated that the County cannot commit itself until more is known.

Mr. Meech stated while there has been a commitment made on the part of County to provide a branch library in Cole Harbour, there has not yet been any decision that the library facility will be in Cole Harbour Place.

MOTION CARRIED.

PLANNING ADVISORY COMMITTEE REPORT

Application No. PA-CH/W-04-86 and DA-CH/W-06-86-21 - Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law, Dale Walker

Mr. Kelly outlined the report from the Planning Advisory Committee.

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

"THAT the plan amendment and the development agreement be approved, and that a public hearing for these applications be held on July 14, 1986 at 7 p.m."
MOTION CARRIED.

Application No. RA-SA-62-85-16 - Rezoning of the Lands of Pardeep Malik; and the rezoning of Lands of Terrance Harland and Elizabeth Harland, Cobequid Road, Lower Sackville

Mr. Kelly outlined the report of the Planning Advisory Committee, advising it is the recommendation of the Committee to Council that the application be approved and that a date for a public hearing be set, a suggested date being July 21, 1986 at 7 p.m.

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

"THAT Application No. RA-SA-62-85-16 be approved and that a public hearing be held on this application on July 21, 1986 at 7 p.m."
MOTION CARRIED.

Application No. F-447-86-03 - Undersized Lot Legislation - Lands of Harold Connor, Mosher Island

Mr. Kelly identified the application and reviewed the report from the Planning Advisory Committee.

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

"THAT Application No. F-447-86-03 be approved and that a public hearing be held on June 17, 1986 at 7 p.m."
MOTION CARRIED.

Century Mobile Home Park

Mr. Kelly advised that the Planning Advisory Committee at its meeting of June 2, 1986, reviewed a development agreement to expand Century Park Mobile Home Park by 159 lots. He read the recommendation of the Committee.

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

"THAT Council set aside the night of July 21, 1986 for a public hearing for this matter, pending the successful negotiation of a development agreement between staff and the developer."
MOTION CARRIED.

EXECUTIVE COMMITTEE REPORT

By-law Amendment, By-law No. 51

Mr. Kelly read the report and recommendation of the Executive Committee.

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

"THAT Council approve of an amendment to the Tax Exemption By-law to include the Upper Musquodoboit Fellowship Club."
MOTION CARRIED.

1986 Canadian Parks Recreation Association Conference

Mr. Kelly stated the Executive Committee was advised that the 1986 CPRA conference will be held in Montreal from August 10-14, and it has been customary for Council to appoint a representative to attend the conference. He further advised the Executive Committee has recommended to Council that Deputy Warden Wiseman be appointed as Halifax County Council representative at the CPRA conference.

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

"THAT Deputy Warden Lois Wiseman be appointed as Halifax County Council representative at the 1986 CPRA conference."
MOTION CARRIED.

Request for District Capital Grant, District 4

Mr. Kelly outlined the report from the Executive Committee.

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

"THAT approval be granted for a District Capital Grant, District 4 in the amount of \$2,000 for improvements to the former Goodwood School."

Councillor MacKay stated there had been a proposal at another point in time to lease a portion of this school to a wood working company. He asked for clarification with regard to this.

Mr. Kelly advised this building is presently leased to the Lion's Club. Councillor P. Baker confirmed it is leased to the Lion's Club for \$1 per year. Mr. Kelly further advised that Argyle Pine was located there at one time.

Mr. Meech stated that the company Councillor MacKay was referring to was in the ice making business, and they were sub-leasing the basement area of this building, but the Lion's Club has it under lease. The ice making company has their agreement with the Lion's Club.

Councillor P. Baker stated that this building was used by the Municipal School Board to store excess furniture, and since they moved out, the Lion's Club have moved in. He clarified the location of the property.

Mr. Meech stated that after it was decided to put the ice making machine there, it was identified that oil had been getting into the water supply, and the company needed access to potable water. The former Councillor then suggested that Council should provide financial assistance to drill a new well.

Councillor P. Baker advised the grant now being requested is for repairs on the exterior of the building. It is in need of new siding and more work.

Mr. Meech stated it was his understanding that the ice making company would remain in the building and sub-lease their space from the Lion's Club.

Councillor P. Baker stated he did not know if the ice making company still occupied part of the premises, but the money being requested is to help the Lion's Club who provide a lot of community service.

MOTION CARRIED.

Request for District Capital Grant, District 19

Mr. Kelly advised this request is for \$604.40 for improvements to Springfield Lake Beach.

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

"THAT approval be granted for a District Capital Grant, District 19 in the amount of \$604.40 for improvements to the Springfield Lake Beach."

MOTION CARRIED.

Request for General Parkland Grant

Mr. Kelly outlined the report from the Executive Committee.

It was moved by Councillor P. Baker, seconded by Councillor Fralick:

"THAT approval be granted for a General Parkland Grant in the amount of \$1,000 for the purpose of acquiring a property at Terence Bay for a park and boat launch area."

MOTION CARRIED.

Request for District Parkland Fund Grant, District 15

Mr. Kelly outlined the report.

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

"THAT approval be granted for a District Parkland Fund Grant, District 15 in the amount of \$4,000 for improvements to the parkland area, Park Haven Drive, Beaverbank."

MOTION CARRIED.