

**PUBLIC HEARING**  
**SEPTEMBER 30, 1986**

PRESENT WERE: Warden MacKenzie  
Councillor Fralick  
Councillor P. Baker  
Councillor C. Baker  
Councillor Deveaux  
Councillor Randall  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Councillor Merrigan  
Councillor MacKay  
Councillor McInroy  
Councillor Eisenhower  
Councillor MacDonald  
Deputy Warden Wiseman  
Councillor Mont

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

SECRETARY: Glenda Higgins

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Warden MacKenzie called the public hearing to order with the Lord's Prayer at 7:10 p.m.

APPOINTMENT OF RECORDING SECRETARY

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

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

APPLICATION NO. PA-SA-10-86

Mr. Butler informed this application is for proposed amendments to the Sackville Municipal Planning Strategy and Land Use By-law which would permit Council to consider the establishment of a CDD (Comprehensive Development District) Zone within the Commercial Core Designation within Sackville. This designation consists of approximately 200 acres of land broken into 36 percent commercial development, 19 percent residential development, 6 percent institutional development, and 39 percent of the area is vacant. It is desired by means of the Sackville Plan to make this area the business and community focal point. Trying to achieve that goal, establishes relatively broad zoning. The Sackville Planning Strategy also calls for a secondary planning

strategy to be carried out for the core area in order to more precisely determine how it should be developed. Due to financial and staff restraints, this study has not been carried out to date. However, the redevelopment of the former Sackville Downs site is of concern to the community and the Planning Strategy because it is a larger parcel of land which is highly visible within the community. Mr. Butler continued to review the staff report advising the property in question is covered by the C-3 (Commercial Core) Zone which permits most commercial, community facility, and high density residential uses. Development agreements required by the by-law would generally follow through with this type of developments. However, it is the opinion of the Planning staff that for a site of this type, a single agreement would be preferable in both the public and private interests. The site is an excellent candidate for a single agreement by way of a comprehensive development district. Other properties, however, could benefit from the CDD, allowing adjacent property owners to join in planning coordinated developments and sharing facilities. The amendments are not specific to the Sackville Downs property, and they do not affect its current zoning. However, they do make it possible for one property owner or a group of adjacent land owners to apply for a comprehensive development district zone on their lands should they total five acres or more. This zone is similar to other R-1 and R-2 Zones, except once that zone is placed on the property, development must proceed by development agreement. Mr. Butler continued outlining the specific amendments to the by-law as per Appendices "A" and "B" of the staff report. He noted an amendment to the staff report: Appendix "B". Section 19.1 (a) of the by-law should read "...any CDD (Comprehensive Development District) within the commercial core designation except ..." He concluded that the amendments are recommended for approval by the Planning Department.

#### Questions from Council

Deputy Warden Wiseman asked for the rationale behind using five acres as a minimum parcel of land for the CDD amendment. Mr. Butler informed the advantage of using a Comprehensive Development District is that it is for the planning of more than one land-use. It is felt five acres is a reasonable size of land to deal with more than one type of land-use. Parcels of land any smaller could probably be dealt with just as effectively with zoning. He added that the five acres is consistent with the requirements for these types of zones within the residential designation. Deputy Warden Wiseman expressed concern about this large minimum parcel of land because she has seen development involving much smaller parcels of land which had a strong impact on the community. She asked if this minimum requirement could be decreased. Mr. Butler felt decreasing it to any significant degree would be defeating the purpose of the actual zone, which is intended to accommodate commercial, residential, and possible community facility uses within one development. He was not sure how small it would be reasonable to assume that this variety of land-uses on a single parcel of land. Five acres is large enough to accommodate the variety intended, but Mr. Butler could not suggest a better minimum requirement.



Councillor MacKay informed that land is selling for \$5 - \$6 per square foot in that area. It will be costly to purchase a five acre site here, and not many people have that kind of money readily available. Those who do will be developing on a large-scale basis. He expressed concerns similar to Deputy Warden Wiseman's with respect to a minimum five acre parcel of land for the CDD to apply and the possible impact of this on smaller parcels of land. He felt there would not be much development in Sackville that would be on parcels of land in excess of five acres, as there has not been much previously. He asked Mr. Cragg if it would be permissible to make an amendment to the minimum requirement of five acres, considering the advertisement for this public hearing. He felt the amendment could be made because it is voluntary at this point - not mandatory.

Mr. Cragg did not feel this amendment could be made because specific sites are not being dealt with. He felt in dealing with a general area of various sizes, the amendment to the five acres could not be made one way or the other. There was much discussion concerning this proposed amendment to the minimum size of the parcel of land. Mr. Butler informed it is his understanding that these zones have been applied upon the application of the land owner, but the amendments do not preclude Council to apply the zone to the property if it is seen fit. Council does not necessarily have to wait for a land-owner to apply for the CDD designation, although he would have the right to appeal the decision of Council. Mr. Cragg informed at that site specific stage the amendment from five to three acres could be made.

Councillor Eisenhower also expressed concern about the minimum of five acres for a CDD. He asked how one would get approval to develop a parcel of land less than five acres if it is completely surrounded by developed property. Mr. Butler replied the property could be developed according to the zone on the property. The amendment simply makes it necessary to have a five acre parcel of land before a CDD designation and a development agreement could be approved. It would be a rezoning from R-3 to CDD if there is a minimum of five acres.

Councillor Lichter believed if the amendment is approved, Council cannot apply the CDD on anything less than five acres. He clarified that with approval of the amendment, Council could apply the CDD zone to a parcel of land subject to a public hearing and provided the land is a minimum of five acres.

Councillor MacDonald asked if this public hearing could be re-advertised and have Council go through the process again, changing the minimum land requirement to one acre. Mr. Cragg replied that this amendment does not affect a parcel of land zoned C-3 which is one acre in size unless the developer so wishes. Under five acres, the amendment does not apply, but if it is desired to make it apply for a site specific amendment, it could be done by preparing the appropriate amendment and proceeding on that particular site of land.

Councillor McInroy felt it would be better to have the whole of the commercial core designated CDD requiring a development agreement.

Concerns are for access points, vehicular traffic, etc. and there are many things that could go wrong; therefore, the entire commercial core should be a CDD designation. He stated this change would require more time, but he felt it would be better to take that time. Mr. Butler stated if it were Council's desire to place the entire commercial core under a CDD zone, it would require another set of plan amendments. The effect of the CDD is that nothing can be done without a contract - an addition cannot even be constructed. Councillor McInroy felt all these developments should be closely watched, and they could be watched more closely under a CDD designation. One wrong move could have serious implications.

Councillor Lichter pointed out that a contract development does not necessarily mean a more strict development than what already exists. It could mean a number of more lenient developments could take place than what was allowed under a particular zone. A contract development would be more closely scrutinized, however. Councillor McInroy stated that a development agreement would give the Municipality provision to determine ingress and egress points, buffer areas, etc. It does not speak to an issue, but the Municipality could say what would be felt to be best in a particular situation.

Speakers in Favour of this Application

None

Speakers in Opposition to this Application

None

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

"THAT Municipal Council approve the amendments to the Sackville Planning Strategy as shown in Appendix "A" of the staff report dated August 18, 1986."

MOTION CARRIED UNANIMOUSLY

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

"THAT Municipal Council approve the amendments to the Sackville Land Use By-law as shown in Appendix "B" of the staff report dated August 18, 1986 and as amended by Mr. Butler during the presentation."

MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

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

"THAT this public hearing adjourn."

MOTION CARRIED



MINUTES & REPORTS  
OF THE  
FIRST YEAR MEETINGS  
OF THE  
FORTY - SECOND COUNCIL  
OF THE  
MUNICIPALITY OF THE COUNTY OF HALIFAX  
OCTOBER COUNCIL SESSION  
TUESDAY, OCTOBER 7 and 21, 1986  
&  
COMMITTEE OF THE WHOLE  
OCTOBER 23, 1986  
&  
PUBLIC HEARINGS  
OCTOBER 27, 1986

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Slogan -----	15
Tax Certificate -----	10
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Woodbine Mobile Home Park -----	16

COUNCIL SESSION

OCTOBER 7, 1986

PRESENT WERE: Warden MacKenzie  
Councillor Walker  
Councillor Fralick  
Councillor P. Baker  
Councillor C. Baker  
Councillor Deveaux  
Councillor DeRoche  
Councillor Adams  
Councillor Randall  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Councillor Merrigan  
Councillor McInroy  
Councillor Eisenhower  
Councillor MacDonald  
Deputy Warden Wiseman  
Councillor Mont

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

SECRETARY: Glenda Higgins

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Warden MacKenzie called the Council Session to order at 6:10 p.m. with the Lord's Prayer.

Mr. Kelly called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

APPROVAL OF MINUTES

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

"THAT the minutes of the September 2, 1986 Council Session be approved as circulated."  
MOTION CARRIED



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

"THAT the minutes of the Public Hearing, September 8, 1986, be approved as circulated."  
MOTION CARRIED

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

"THAT the minutes of the Council Session, September 16, 1986, be approved as circulated."  
MOTION CARRIED

AGENDA ITEMS

Councillor Deveaux - Shearwater Airshow  
- Fishermen's Loan Board  
- Loss of Staff

Councillor P. Baker - County-owned Lands, Cole Harbour

Councillor Fralick - Nuclear Arms Safety

Warden MacKenzie - In-Camera Item

PRESENTATION, SACKVILLE MAINSTREET PROGRAM

Karen Davison, Brenda Frizzel, and Steve Revoy were in attendance to make a presentation to Council respecting the Sackville Mainstreet Program.

Ms. Davison informed the purpose of the meeting was to ask for endorsement of the formation of a Business Improvement District Commission. She also presented a slideshow representing the improvements made to Sackville Drive through the Mainstreet Program. She informed that there has been a commercial recruitment package put together which has been distributed throughout Nova Scotia, to parts of Canada, and some have gone as far as Hong Kong.

Councillor DeRoche asked what the advantage would be to having a Business Improvement Commission. She informed the Commission would work as a group to improve the business district with the ability to levy taxes on businesses within their boundaries.

Councillor DeRoche asked if the approach is not backward. He suggested the Notice of Intent should be circulated to all businesses and property owners in the district before Council is asked to endorse the Commission. Ms. Davison felt the Commission should be approved by Council before the Notice of Intent is circulated. When this letter is sent out advertisements will also be placed in the newspapers advising of the intent to form this Commission. Every affected taxpayer would receive a copy of this Notice of Intent. Ms. Davison continued that only the businesses within the boundaries of the Business Improvement District would be affected by the Commission's ability to levy taxes,

and it would be very difficult to determine to what extent that will be at this point in time. A budget is constructed by the Commission and the cost-sharing must be determined between the Municipality, the Department of Development, and the Department of Transportation. At that point, the Commission will be able to determine what will be required in taxes to cover the remainder of expenses.

Councillor Deveaux asked if the businesses have been approached at all and if they are aware they could be taxed in the future. Ms. Davison informed the prospect of the Commission has only been discussed with the Executive of the Chamber of Commerce, which is made up of several members of the business community. Mr. Revoy clarified that Council's endorsement of the Commission will not mean it is authorized. Forty percent of the business community must also approve of the Commission.

Councillor McInroy expressed support for the project, but asked for clarification on the 40 percent support from the business community. Ms. Davison informed there must be no more than 40 percent written objections received from each group representing at least 40 percent of assessment in each category.

Councillor McInroy also expressed difficulty with the wording of the Letter of Intent. He felt people would assume the Commission is going ahead with or without their consent. He stated he would support the proposal, but he would like to see the wording of the Notice of Intent changed.

Councillor Merrigan felt Council would rather see support from the businesses first. He felt it is not fair for Council to be asked to take the initiative.

Councillor Mont asked about the district business boundary. Ms. Davison replied that she would like to have the boundaries remain as they are because the Mainstreet has been operating very successfully within those boundaries, and they seem to be accepted by the community. She informed she would like Council to approve the boundaries as they now exist, and if a by-law is submitted for approval, that the present boundaries be applied for. She informed the boundary runs along Sackville Drive from Cobequid Road to the Beaverbank Road.

Mr. Meech informed after the Commission is formed, there will be a need for the submission of an annual budget advising what is proposed, the costs, and what the proposed rate will be levied against the businesses for the year. However, Council has the final say over the levying of that rate.

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

"THAT Halifax County Council endorse the establishment of the Business Improvement District Commission for Sackville on Sackville Drive from Cobequid Road to the Beaverbank Road."  
MOTION CARRIED



LETTERS AND CORRESPONDENCE

Canada Post Corporation

Mr. Kelly read the letter signed by the Special Assistant to the Minister Responsible for Canada Post Corporation, David Richardson. The letter advised the matter of a change of mailing address for Cole Harbour and Westphal has been brought to Mr. Coté's attention, and he has asked officials to look into the matter and provide a report.

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

"THAT this item of correspondence be received, and that Mr. Kelly bring the matter to Council's attention within one month if nothing is heard in the meantime."  
MOTION CARRIED

Department of Transportation

Mr. Kelly outlined the letter from the Honorable Maxine Cochran respecting sidewalk construction on the Old Sackville Road and Connolly Drive, Lower Sackville.

Councillor MacDonald expressed disappointment with the response from the Minister of Transportation. He informed he was in receipt of a petition from the residents of the area, and he would like to have it presented to the Minister. The petition contains 23 pages of signatures of residents of the area. He stated if this money cannot be made available for 1986, it should be requested immediately for 1987.

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

"THAT the request re funding for sidewalk construction on the Old Sackville Road and Connolly Drive, Lower Sackville be re-submitted to the Department of Transportation for consideration in the 1987 budget with reference that a petition has been received from a number of concerned residents of this area."  
MOTION CARRIED

Department of Municipal Affairs

Mr. Kelly reviewed this letter respecting 20 lot limitation, Lawrencetown Area.

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

"THAT this item of correspondence be received."  
MOTION CARRIED

Department of the Environment

Mr. Kelly advised this letter concerns the reinstatement of the Derelict Vehicle Program, and that Council's views will be considered during the preparation of the 1987 budget.

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

"THAT this item of correspondence be received."  
MOTION CARRIED

Westphal/Cole Harbour Fire Department

Mr. Kelly reviewed this letter from Brian Shand, Deputy Fire Chief, expressing appreciation to Council for their support in the endeavor to promote better fire prevention within the Municipality. The letter also advised that Councillors would be called upon in the near future to make presentations to students in the future.

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

"THAT this letter be received."  
MOTION CARRIED

Department of Transportation

Mr. Kelly read this letter from the Honourable Maxine Cochran respecting ice control in the Beaverbank area and along the Eastern Shore.

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

"THAT this item of correspondence be received."  
MOTION CARRIED

DASC Industries

Mr. Kelly reviewed this letter respecting appreciation for the \$450 grant to this organization for 1986, but requesting reconsideration for the total request of \$6,000.

Councillor P. Baker informed he is familiar with the operation of DASC Industries, and he felt their request for a \$6,000 should have been given more consideration. He stated this organization serves a large number of mentally handicapped individuals. Councillor P. Baker urged Members of Council to visit the facility. He stated that \$6,000 is not much for the work done by this organization.

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

"THAT the grant to DASC Industries be reconsidered to a total of \$3,000 - an additional \$2,550."

Councillor Deveaux expressed agreement to the comments made by Councillor P. Baker, and he stated he would support the motion. He also stated that DASC Industries provides a good service to the community, and he urged Council to support the motion.

Warden MacKenzie noted there were a number of organizations that only received \$450 this year, although they had requested more.



Councillor Deveaux suggested municipal priorities should be reconsidered.

Councillor DeRoche stated this organization is very good, but he could not support the motion because it makes a farce of the budget decision process. He stated this is October, and Council should now be considering the budget for 1987 instead of re-allocating funds from an already overspent 1986 budget.

Deputy Warden Wiseman expressed agreement with Councillor DeRoche, stating she would not support the motion. She informed there was a great deal of time and effort put into making these decisions for 1986, and the grants to organizations is not an unlimited fund. She felt the decision should not be changed now, but it should be considered more carefully in 1987.

Councillor Reid informed he also would not support the motion. He stated two or three years ago Council approved a method whereby grants to organizations would be categorized. This year DASC Industries was in the category considered last, and when the Executive Committee reached that category only a small amount of money was left, which was divided amongst the remainder. If the decision is changed respecting this organization, the other seven in that category should also be reconsidered.

Councillor P. Baker stated that the previous three speakers were not familiar with mentally handicapped people and what DASC Industries does for them. He urged Council to tour the facility sometime and to support the motion.

There was further discussion concerning the organization.

MOTION DEFEATED

Water and Sewer Problem Areas, Halifax County Municipality

Mr. Kelly reviewed this letter signed by Councillor Lichter, Chairman of the Board of Health.

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

"THAT this item of correspondence be received."  
MOTION CARRIED

Office of the Minister, Fisheries and Oceans

Mr. Kelly outlined the letter from Louis Lavoie, Special Assistant to the Minister.

Members of Council agreed to receive this item of correspondence.



Provincial Task Force on Hazardous Wastes

Mr. Kelly reviewed this letter, advising there will be a presentation made by the Task Force in early December.

Members of Council agreed to receive this letter from Mort Jackson for information purposes only.

PUBLIC HEARING - UNDERSIZED LOT LEGISLATION - JAMES MARRIOTT

Mr. Gough reviewed the staff report, recommending approval of the proposed subdivision of Lots 1 and 2 of the Lands of James Marriott, Head of St. Margaret's Bay under the Undersized Lot Legislation.

Questions from Council

Warden MacKenzie clarified the location of the property in question as along Highway No. 103.

Speakers in Favour of this Application

None

Speakers in Opposition to this Application

None

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

"THAT the subdivision of Lots 1 and 2 of the Lands of James Marriott, Head of St. Margaret's Bay (Application No. F 732-86-01) be granted final subdivision approval under the Undersized Lot Legislation."

MOTION CARRIED UNANIMOUSLY

PLANNING ADVISORY COMMITTEE

Application No. P 459-86-09 - Undersized Lot Legislation - Subdivision of Lots B-YA and BY-A6-XB of the Granville Leopold Subdivision

Mr. Kelly reviewed the report respecting this application.

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

"THAT the proposed subdivision of Lots B-YA and BY-A6-XB be granted approved in principle and that the applicant be directed to proceed to the final subdivision application stage, and that staff be empowered to advertise for a public hearing once the final application is complete."

MOTION CARRIED

Application No. F-932-86-08 - Undersized Lot Legislation - Subdivision of Lot 1-A, Elliott Michael Robertson, Upper Porter's Lake

Mr. Kelly read the report.

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

"THAT the proposed subdivision of Lot 1-A be given final approval and that a public hearing be held on November 4, 1986 at 7 p.m."  
MOTION CARRIED

Zoning By-law No. 24

Mr. Kelly read the report and the recommendation from the Planning Advisory Committee.

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

"THAT the Minister of Municipal Affairs be requested to extend Zoning By-law No. 24."  
MOTION CARRIED

Mobile Home Park By-law and A By-law to Amend the Building By-law

Mr. Kelly read over the report respecting the approval of these two by-law.

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

"THAT the Mobile Home Park By-law dated October, 1986 be adopted with the changes made at the Planning Advisory Committee, September 29, 1986."

Councillor Eisenhauer informed he would not support the by-law as it now stands because he felt there is little clarification of the requirements of the Nova Scotia Power Corporation, the Municipality, the park owner, and the mobile home owner with respect to annual inspections. He also felt there is confusion about payment for these services and annual inspections, informing any costs would be eventually levied against the tenant.

Councillor DeRoche explained the necessity for parts of the By-law which Councillor Eisenhauer was concerned about. He informed prior to 1974 in certain parts of the Municipality there were no requirements for permits to locate a mobile home on any parcel of land. Therefore, there is need for the by-law to ensure such mobile homes will not be imposed upon by the adoption of the new by-law. There was considerable discussion between Councillor DeRoche and Councillor Eisenhauer concerning this before Warden MacKenzie called for the question on the motion.

MOTION CARRIED



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

"THAT the By-law to amend the Building By-law be approved."  
MOTION CARRIED

Union of Nova Scotia Municipalities - Request for Information with Respect to Pits and Quarries

Mr. Kelly reviewed the report.

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

"THAT information in the staff report and attachments with respect to pits and quarries be forwarded to the Union of Nova Scotia Municipalities."  
MOTION CARRIED

SUPPLEMENTARY REPORT OF THE MUNICIPAL PLAN COMMITTEE

Mr. Kelly read the report concerning the problem of sewage treatment in District 5.

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

"THAT Council send a resolution to the Premier, as MLA for District 5, asking him to intervene in regard to the provision of a sewage treatment facility."  
MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

County Brochure

Mr. Kelly read the report advising the Executive Committee recommends approval of an expenditure of approximately \$10,000 to produce a brochure for Halifax County.

Councillor Fralick asked if there is a sample brochure available before an expenditure is decided upon. Mr. Meech informed the intent is that if Council agrees to the proposal in principle, a prototype will be prepared from which a final decision can be made.

Councillor C. Baker felt there should be a clean-up campaign organized before this expenditure is made.

Warden MacKenzie asked if the brochure would be organized by one person so that it would not go in two or three different directions from each department with separate recommendations from each. Mr. Meech advised the Industrial Commission will still have its own brochure. The intent of the Halifax County brochure is to have it developed so it can be used for a variety of purposes, although there will still be a need for separate industrial promotions.



Councillor DeRoche asked if this expenditure would come from the Parks and Recreation budget. There was some discussion respecting the source of this money.

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

"THAT Council approve the expenditure of approximately \$10,000 to produce a comprehensive informational brochure on Halifax County providing it constitutes an expenditure from the 1987 budget."

Councillor P. Baker stated he would not support the motion because the Executive Committee may change membership and have a different opinion on this matter before the next budget is prepared. He stated this money could be given to DASC Industries instead.

Councillor Deveaux stated he would support the motion because he is in favour of promoting the Municipality, but he questioned the budgetary procedures involved.

Warden MacKenzie commented there are a number of old brochures throughout the Municipality now which should be cleaned up before this updated brochure is distributed.

Councillor Walker felt the costs involved should be known, as well as what it will look like. He expressed opposition to approving anything in principle.

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

"THAT the matter of an expenditure for a County brochure be deferred to the budget discussions for 1987, and that this expenditure be included in the 1987 Parks and Recreation budget."  
MOTION CARRIED

#### Fee for Tax Certificate

Mr. Kelly read the report.

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

"THAT Council approve a fee for the preparation of tax certificates at \$20 per certificate commencing January 1, 1987."

Councillor Randall noted that the staff report recommends an increase to \$15, but the Committee's recommendation to Council is for \$20. Mr. Kelly informed after some discussion and comparison with adjoining municipalities the Committee agreed to the recommendation of \$20.

MOTION CARRIED

#### Request for General Parkland Grant

Mr. Kelly reviewed the request and the recommendation from the Executive Committee.

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

"THAT Council approve a general parkland grant in the amount of \$5,000 to partially finance the Forest Hills Commons project."  
MOTION CARRIED

District Capital Grant, District 5

Mr. Kelly read the report.

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

"THAT Council approve a District Capital Grant, District 5 in the amount of \$1,400 for fencing at Sambro ballfield."  
MOTION CARRIED

District Capital Grant, District 15

Mr. Kelly reviewed the request.

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

"THAT a District Capital Grant, District 15 be approved by Council in the amount of \$6,000 for improvements to the Beaverbank Transit Bus."

There was some question as to the ownership of the bus and the insurance coverage. Mr. Meech informed the bus is presently in the Municipality's name and covered by the Municipality's insurance policy, but that is presently in the process of being changed. It was clarified that this request is for a District Capital Grant, which can be used for this purpose.

MOTION CARRIED

District Capital Grant, District 19

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

"THAT Council approve a District Capital Grant, District 19 in the amount of \$748.60 for the installation of bleachers at the Springfield Lake Recreation Centre."  
MOTION CARRIED

District Capital Grant, District 19

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

"THAT a District Capital Grant, District 19 in the amount of \$748.60 be approved by Council for the purpose of installing bleachers at the Harry H. Hamilton Playing Field."  
MOTION CARRIED

Port Dufferin Fire Department, \$5,000 Loan Request

Mr. Kelly outlined the report from the Executive Committee.

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

"THAT Council approve a \$5,000 loan advance to the Port Dufferin Fire Department for the purpose of making repairs to the tank on their fire vehicle, the loan to be advanced for a ten year period of principal and interest repayment with Council reserving the right to levy an area rate in default of payment of principal and/or interest."

Warden MacKenzie commented that this loan would be fully repaid within a two year period, and there is presently an area rate.

MOTION CARRIED

St. Margaret's Arena Association

Mr. Kelly read the Executive Committee report respecting this matter.

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

"THAT Council support the St. Margaret's Arena Association and that Council approve funding in the amount of \$35,000 over a three year term of \$15,000; \$10,000; and \$10,000 beginning in 1987 from the general fund payable once the final agreements are made with the Province."

Councillor DeRoche moved that this matter be deferred to the 1987 budget, which was lost for need of a seconder.

There was much discussion concerning this matter. Councillor Walker informed there is a commitment from the Province that they are willing to build the rink, although there are some conditions attached. He felt if there is a deficit it will be the responsibility of the Province. He expressed no difficulty with supporting this project, informing there will never be an area rate in his district as long as he is Councillor. Councillor McInroy felt there should be a written commitment indicating this from the Province.

Councillor Eisenhower felt there would not be any deficit or the need for any area rates. The loan from the Province is for a period of seven years, interest free.

Councillor DeRoche informed he had several concerns respecting this project. First, he was not aware there were financial statements available supporting the request. Also, he stated the Provincial government have never underwritten an operating deficit before. If they are willing to do this now, the situation may be workable, but until that time, he informed he would not support the motion.



Councillor Eisenhower stated there must be clarification when classifying operating expenses and capital expenses. He noted that the motion has a condition attached pending final agreement with the Province. He stated there is a need for support for this project to help the process which is expected to come forth with the next budget. The committee must get their request to the Province in time for the next budget.

Councillor Lichter expressed surprise that Councillors would be concerned about who would take the responsibility for a deficit for this project because it is only two or three percent the size of Cole Harbour Place, yet there were no written guarantees for Provincial coverage in the event of a deficit for that project.

Councillor Fralick informed the financial statements were prepared very leniently - the figures are not blown up, but they were prepared to 100 percent of what the project is intended to cost.

MOTION CARRIED

Request for District Capital Grant, District 13

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

"THAT Council approve a District Capital Grant, District 13 in the amount of \$5,000 for the Meagher's Grant Volunteer Fire Department."  
MOTION CARRIED

Request for District Capital Grant, District 13

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

"THAT Council approve a District Capital Grant, District 13 in the amount of \$3,000 for the Dutch Settlement Volunteer Fire Department."  
MOTION CARRIED

Request for Loan - LWF Volunteer Fire Department

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

"THAT Council approve a loan to the LWF Fire Department in the amount of \$20,000 to be advanced over a period of ten years of principal and interest repayments, and that Council reserve the right to levy and area rate in default of payment of principal and/or interest."  
MOTION CARRIED

Report, re Property, Old Beaverbank Road

Councillor McInroy and Councillor Mont declared conflicts of interest.

Mr. Kelly reviewed the Executive Committee report respecting this matter.

It was moved by Councillor MacDonald, seconded by Deputy Warden Wiseman

"THAT the Municipality proceed to acquire the two parcels of land from the Nova Scotia Department of Housing for an amount of \$75,000 with the understanding that the Municipality would fulfill the lease agreement now in place with the Lake District Recreation Association."

Councillor Deveaux questioned the purpose of this purchase. Mr. Meech informed the report to the Executive Committee highlighted the need for this site for the Tourist Bureau and park area. There is a good possibility this property could be used for that purpose, although if the purchase were achieved at the proposed price, the Municipality would be making a good investment.

Councillor Deveaux expressed concern about setting a precedent in this regard, and Mr. Meech agreed it could happen. However, the purchase of this land for \$75,000 would be a good investment.

Councillor Deveaux asked if this money is available presently. Mr. Meech informed there is a special reserve account which can be used with permission from the Minister of Municipal Affairs. This fund is also being used for the special housing project, and after that project is complete there will be approximately \$200,000 left which could be used for this purpose.

MOTION CARRIED

#### Purchase of Lands, Wellington

Councillor McInroy and Councillor Mont each declared conflicts of interest.

Mr. Kelly reviewed the report.

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

"THAT the Municipality purchase the remaining lands on either side of the pumping station for the sum of \$35,000 and additionally, that Lot B be deeded to the Nova Scotia Department of Housing for the purpose of constructing one two-unit dwelling subject to obtaining necessary building approvals."

Councillor Snow referred to the sketch included with the agenda and asked if Lot C would be owned by the County and if it could be used for parkland purposes. Mr. Meech informed Lot C is presently owned by the Municipality. In 1973 the treatment plant and pumping station were located on the wrong lot. The purpose of purchasing this land is to rectify this mistake and to acquire a site for a two unit dwelling under the special housing project. He informed if Council agrees to the recommendation, the Municipality will own the entire parcel of land.



Councillor DeRoche expressed concern that the expropriation of this land went through all legalities, was placed on the wrong lot, and went undetected for so long. Mr. Meech informed the problem has only come to the Municipality's attention when looking for a site for the public housing. He also stated the Municipality would go after the consulting engineer who made the mistake, but he has since gone out of business, and it is very difficult to take action against him.

There was much discussion concern this matter.

MOTION CARRIED

Slogan, re Signage, Halifax County

Mr. Kelly read the report.

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

"THAT the Municipality adopt "THE GOOD LIFE" for the Halifax County slogan."

Councillor DeRoche noted that this slogan is already utilized by the Industrial Commission with their promotions. He felt the idea is good, and he stated it is about time something that has been in existence for so long becomes official. However, he expressed objection to the recommended slogan.

Warden MacKenzie informed this was the recommendation of the Executive Committee, although he felt more comfortable with "Share in Our Future".

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

"THAT the matter of a slogan for the Municipality be referred to the Executive Committee for reconsideration."

Deputy Warden Wiseman stated there must be reasoning behind the rejection of the recommended slogan in order for the Executive Committee to know what should be considered next.

Councillor Eisenhower felt there should be a suggestion from the staff level. Mr. Meech informed there was a suggestion from staff, but it was overruled by the Executive Committee with their recommendation.

MOTION CARRIED

RURAL SERVICES COMMITTEE REPORT

Dredging, Eastern Shore

Mr. Kelly read the report from the Rural Services Committee.



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

"THAT Council invite representatives from Small Harbour Crafts Department to meet with them to discuss their priorities for funding for harbour dredging along the Eastern Shore area of Halifax County."

Warden MacKenzie informed this meeting is to ask for the Department's priorities as there are problems along the Eastern Shore. There is also a need for work on the wharfs.

MOTION CARRIED

#### URBAN SERVICES COMMITTEE REPORT

Mr. Kelly reviewed this report.

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

"THAT resolution of environmental problems at Woodbine Mobile Home Park be undertaken by the owner by replacement of the present treatment plant with a facility approved by the joint authorities and capable of providing the required treatment; and that operations and maintenance of the newly constructed plant be carried out by Engineering and Works staff, at cost, and according to a legal agreement to be executed with the park owner."

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

"THAT this matter be deferred for a period of one month."

Councillor Merrigan informed he would like to know more about this before dealing with it. He has asked the Department of Health to look into the present operation, and this report is not yet available. He informed the report should be available at the next meeting of the Board of Health.

MOTION CARRIED

#### COUNCIL RESOLUTION, RE DATE FOR MINOR VARIANCE APPEAL

Mr. Kelly advised Council is requested to set a date for an appeal of a minor variance at Kings Palace, Lower Sackville, and he recommended the appeal be heard on October 21, 1986 at 7 p.m.

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

"THAT Council set a minor variance appeal date for Kings Palace, Sackville Drive, Lower Sackville for October 21, 1986 at 7 p.m."  
MOTION CARRIED

BUILDING INSPECTOR'S REPORT

Blake Carter, McGrath's Cove

Mr. Kelly reviewed the report from Mr. Hefler.

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

"THAT a lesser setback of 35 feet from the center line of the highway, McGrath's Cove be approved for applicant Blake Carter."  
MOTION CARRIED

Frank White, Windsor Junction

Mr. Kelly reviewed the report.

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

"THAT a lesser setback of 25.4 feet be granted approval property at Cobequid Road, Windsor Junction for applicant Frank White."  
MOTION CARRIED

Dimitros Salto, Lucasville

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

"THAT a lesser side yard clearance of one foot be approved for Lot 13A, Lucasville Road, Lucasville, applicant Dimitros Salto".  
MOTION CARRIED

Walter Covey, Hackett' Cove

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

"THAT a lesser setback of 45 feet from the centre of the highway for Walter Covey, Hackett's Cove be granted approval by Municipal Council."  
MOTION CARRIED

TRANSPORTATION - COUNCILLOR SNOW

Councillor Snow informed he would like the Department of Transportation to confirm ownership of the Kidston Road behind the Aerotech Park because there are problems determining who owns it and who is responsible for repairs to it. In the meantime, should there be an emergency in the area, the fire trucks or other emergency vehicles will not be able to get through on that road. At present, the road is not fit to drive on.

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

"THAT a letter be sent to the Minister of Transportation asking for confirmation as to who owns the Kidston Road and who is responsible for the upkeep of it."

Mr. Meech clarified the location of the road, and he agreed that something should be done about it. He stated the road has probably become in that condition as a result of the construction by the Municipality in the area, and therefore, it may be the Municipality's responsibility to upgrade it. He informed he would attempt to get the matter resolved.

MOTION CARRIED

After further discussion,

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

"THAT a strong letter be written to the Department of Transportation requesting traffic lights at the corner of Fall River Drive and Highway NO. 2."

MOTION CARRIED

#### AGENDA ITEMS

##### Councillor Deveaux - Shearwater Airshow

Councillor Deveaux noted that the Shearwater Airshow was recently held at CFB Shearwater, and it was a terrific show. He felt the Municipality does not pay enough respect to CFB Shearwater and their facilities.

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

"THAT a letter be sent to the Base Commander at CFB Shearwater and also to Colonel Robinson, who coordinated and took charge of the show this year, congratulating them on the success of the airshow which was held on September 20 and 21."

MOTION CARRIED

##### Councillor Deveaux - Fishermen's Loan Board

Councillor Deveaux expressed concern about the lack of funding made available through the Fishermen's Loan Board which is for the primary purpose of purchasing boats and other fishing equipment. Due to lack of funding, there are many outstanding requests left with the Fishermen's Loan Board, and many fishermen are suffering this year.

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

"THAT the Minister of Fisheries be requested to increase the money allocated to the Fishermen's Loan Board to an amount more appropriate to meet the requirements of the fishermen of the province; also that a copy of this letter be sent to the Premier."

Councillor Fralick felt other loan boards have larger budgets. He agreed it should be shared more fairly.

MOTION CARRIED



Councillor Deveaux - Loss of Staff

Councillor Deveaux informed that the Planning Advisory Committee were made aware that Mike Hanusiak will be leaving the Municipality to work for the City of Halifax. He stated that Mr. Hanusiak has done a very good job in the Planning Department, and he expressed concern about losing several good people in the last few years. He suggested the dollar value of the jobs is driving good employees away. He stated that planning is a primary concern in the County of Halifax, and there should be concern about losing good employees. He felt the matter should be studied by Mr. Meech and staff to see if anything can be done about losing good employees, although it may be determined the Municipality is simply a victim of circumstances.

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

"THAT Mr. Meech study the matter of loss of staff and report back to Council about comparative wages and other information which can be made available to determine why there may be loss of staff."

Mr. Meech felt there is no reason for concern about this. He informed he is well aware of the situation, which is unfortunate, but he felt it is safe to say Mr. Hanusiak's decision was personal, and Council should wish him well in his future endeavours. Mr. Meech continued that it makes good sense for people to move on and gain broader exposure and experience. He stated if Council so desires he would keep on top of such matter, although it would mean much extra work. He stated if he had been concerned about this problem previously, he would have asked the Personnel Manager to look into it without direction from Council.

There was much discussion concerning this matter.

Councillor DeRoche felt the loss of staff members over the past years should not be a matter of concern. He stated the loss of staff has been over a number of years, and he felt because staff at the Municipality is younger, there is limited potential here, and they would move on to get ahead. He concluded the numbers are not cause for concern.

**MOTION DEFEATED**Councillor P. Baker - County-owned Lands, Cole Harbour

Councillor P. Baker informed he referred this matter to the Executive Committee some months ago to consider the feasibility of disposing of County-owned Lands on the Bissett Road in Cole Harbour.

Mr. Meech informed this matter has not been forgotten about. He stated he now has all the necessary background information about this, although he has not had the opportunity to put it together in the proper fashion. He advised it will be coming before the Executive Committee in the near future.

Councillor P. Baker agreed to await further word from the Executive Committee.

Councillor Fralick - Nuclear Arms Safety

Councillor Fralick expressed concern about nuclear arms safety, advising the public should be made aware of this problem through publicity about nuclear arms safety. After further discussion and expression of concerns,

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

"THAT Municipal Council request the Union of Nova Scotia Municipalities and the Federation of Canadian Municipalities to support nuclear arms safety."

Councillor DeRoche felt nuclear arms safety is a broad area, and he asked for clarification of the motion before he would support it. Councillor Fralick informed he would like the public to know what should be done in the event of a nuclear attack.

MOTION CARRIED

Warden MacKenzie - Emergency Measures Organization

Warden MacKenzie advised he was in receipt of a letter from the Emergency Measures Organization asking that the Municipalities from the Metropolitan Authority sign an agreement that money could be spent for a search effort should it be needed without having to look to the proper authority first.

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

"THAT the Warden be authorized to sign the Emergency Measures Organization agreement on behalf of the Municipality."

Councillor Eisenhauer expressed no objection to this motion, although he felt such authorization had already been given.

Councillor DeRoche did not know if there was formal agreement in place, but it had been to Council previously, and he recalled the response was not favourable. Warden MacKenzie informed he would look into this further to determine if there is already such an agreement.

MOTION CARRIED

Warden MacKenzie - In-Camera Item

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

"THAT Council go in-camera."  
MOTION CARRIED

Members of Council agreed to come out of camera, and the meeting adjourned at 10:15 p.m.

**COUNCIL SESSION**  
**OCTOBER 21, 1986**

PRESENT WERE: Warden MacKenzie  
Councillor Walker  
Councillor Fralick  
Councillor P. Baker  
Councillor C. Baker  
Councillor Deveaux  
Councillor DeRoche  
Councillor Adams  
Councillor Bayers  
Councillor Snow  
Councillor Merrigan  
Councillor MacKay  
Councillor McInroy  
Councillor Eisenhauer  
Councillor MacDonald  
Councillor Mont

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

SECRETARY: Glenda Higgins

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Warden MacKenzie called the Council Session to order at 6:05 p.m. with the Lord's Prayer.

Mr. Kelly called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

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

APPROVAL OF MINUTES

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

"THAT the minutes of the Public Hearings, September 22, 1986, be approved as circulated."  
MOTION CARRIED



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

"THAT the minutes of the September 23, 1986 Public Meeting be approved as circulated."  
MOTION CARRIED

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

"THAT the minutes of the Public Hearings, September 29, 1986, be approved as circulated."  
MOTION CARRIED

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

"THAT the minutes of the September 30, 1986 Public Hearing be approved as circulated."  
MOTION CARRIED

#### AGENDA ITEMS

Councillor P. Baker - Prospect Connector  
- Adolescent Drug Program

Councillor C. Baker - Department of Fisheries

Councillor MacDonald - Sidewalks

Councillor Deveaux - Eastern Passage Post Office

Warden MacKenzie - Closing of Stores on Boxing Day  
- Municipal Government/Sackville

#### MEETING WITH LLOYD GILLIS, CEO, DISTRICT SCHOOL BOARD

Councillor Mont advised he had represented Council at a drug program sponsored by the School Board at CP Allen High School. He informed the program was very worthwhile with a special speaker from the State of Maine who is an expert in the program offered there. There were over 150 in attendance from all across the Province, and it made all aware that the school system is the first place, other than homes, to detect and intervene with people having difficulties with drug and alcohol abuse. He concluded, congratulating Mr. Gillis and Mr. Tingley for making this program possible and a success.

Councillor P. Baker expressed agreement with comments made by Councillor Mont reiterating the success of the program. He advised this was the matter he had added to the agenda and advised it could be deleted.

Mr. Gillis reviewed his report with Members of Council beginning with the enrolment of students throughout the District School Board as of September 30, 1986.

With respect to the public relations study, Mr. Gillis informed a survey was conveyed through the schools to determine how the parents felt about communication between schools and parents. He stated there was a problem with timing because the initial survey instrument proposed was altered, and time was lost in the revision of the instrument. The percentage of response from high schools was low because the timing ran into conflict with the examination period. Otherwise, the return was around 69 percent - very high - from 5,000 surveys. Mr. Gillis reviewed the results of the survey as outlined in the report.

Mr. Gillis next reviewed each of the school capital projects in each of the subsystems. He concluded the important step that the School Board has taken with respect to drug education and intervention is that there has been public recognition that there is work to be done and a willingness displayed on the part of all parties to do this work and to extend support to young people who find themselves harmfully involved with alcohol and/or chemicals.

Councillor MacDonald referred to the Sackville Heights Schools projects, asking what the chances are of these schools coming off the moratorium list. Mr. Gillis informed the elementary school should now be off the list because it is so overcrowded. However, it will not be considered until the Millwood School is complete. The Millwood School is now being actively pursued, but the Provincial position on the matter was that they would not consider Sackville Height Elementary School until the Millwood School is completed because the Millwood School will have an impact on the catchment area for Sackville Heights Elementary, reducing the crowding. Hopefully, the only requirement for Sackville Heights Elementary School at that point in time will be for improvements and renovations rather than an addition. However, this cannot be determined until the children are relocated at Millwood Elementary School. Mr. Gillis continued that it is expected tenders will be called for Millwood Elementary School in the early part of 1987, and it will take ten months to one year after that for the work to be completed. If all goes according to schedule for this project, the Sackville Heights Elementary project could begin in 1988. With the Millwood project there are no anticipated hold ups because serviced land is available.

Councillor Walker asked what is being done from the perspective of the School Board for the Sir John A. MacDonald playing field. He informed this area has been brought to his attention many times by students, parents, and teachers, and nothing is done. Mr. Gillis informed the only reason nothing is done is because there is no money available for this. He informed the School Board has been trying to create a cooperative venture with community input. With other projects there has been financial support from the Provincial government, the municipal government, and organizations within the community, as well as the School Board. There is agreement from the School Board that this field requires improvements, but it has had to be removed from