

Councillor Bayers stated he did not support the motion because the area falls within the boundaries of the Cole Harbour Detachment of the RCMP, and if the rest are to pay for this service, that affected portion of District 9 should also pay.

Councillor Deveaux noted that Councillor Randall is only looking for deferral in order to give him an opportunity to meet with this people. He felt this time period should be granted.

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

"THAT the setting of an area rate for District 9 for policing services be deferred to the second Session of Council in July."

There was much discussion respecting this resolution. It was noted the motion could cause a time delay for the setting of the area rate for the other areas affected by the additional police protection, and Councillor Deveaux and Councillor C. Baker agreed to withdraw the motion.

MOTION CARRIED AS AMENDED

EMERGENCY AGENDA ITEMS

Councillor C. Baker expressed dissatisfaction for not being recognized when he wanted to speak. He asked that two items be added to the agenda: Department of Transportation and Social Assistance. Members of Council agreed to have these two items added to the agenda.

METROPOLITAN AUTHORITY REPORT - COUNCILLOR McINROY

Councillor McInroy reviewed his report, which was circulated to Members of Council. The report included updates on Tender for Supply of Tires and Tire Services; Tender for Maintenance of Mechanical Equipment Contracts; Refuse Transfer Packer; Legal Fees; Financial Statements to March 31, 1987; Appointment of Consultant for the review of senior management and professional positions; Transit Committee; Draft Garage Expansion Study; Highway 101 Landfill Site; Debenture Issue; and Corporate Communications Limited. He noted the next meeting of the Transit Committee will be held on May 7, 1987, and the new advertising campaign was deferred.

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

"THAT the Metropolitan Authority report be received."

Councillor DeRoche inquired concerning proposed budgets and if the increase in ridership is approximately what it had been last year. Councillor McInroy replied it has increased, but not to what was proposed for this year. He stated there is not a major shortfall.

MOTION CARRIED

POLICY, RE NO SMOKING, COUNCIL CHAMBER & BOARDROOMS - COUNCILLOR WISEMAN

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

"THAT Halifax County Council adopt a policy that the Council Chambers and Boardrooms be designated smoke-free in accordance with ordinance No. 172, Clauses 15 and 16, and that Council, through committees of Council and staff work towards a smoke-free environment by January, 1988."

Warden MacKenzie expressed concern that if this resolution is passed, Members of Council would be leaving the Council Chambers and Boardrooms during meetings to have a cigarette.

Councillor Wiseman reviewed Clauses 15 and 16 of the City's ordinance with respect to smoking in public places. She noted the Council Chambers are open to the public.

Councillor Lichter expressed appreciation for the motivation behind the resolution, but he felt the motion is very difficult to deal with. It was noted the City's ordinance with respect to smoking in public places has been in place since 1979. Councillor Lichter stated it did not seem important to Councillor Wiseman in the past when she was a smoker. He stated he would refrain from smoking as much as possible, but he would not abide by a motion that tells Council what to do for health reasons. He asked if Members of Council would also be asked to join Weight Watchers.

Councillor C. Baker stated he will not impose his wishes upon other people, so he would not support the motion, especially if this resolution would mean Councillors leaving a meeting to have a cigarette.

Councillor Merrigan stated he appreciates smokers because the tax money they spent on cigarettes is needed. Councillor MacKay stated much of the taxpayers money is also spent on health care for the smokers.

Councillor DeRoche stated those not present at this Session of Council should have an opportunity to defend their positions.

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

"THAT the matter of a no-smoking policy be deferred to the next session of Council."

Warden MacKenzie noted those not present sit on the School Board, and they do not smoke at School Board meetings. Councillor DeRoche acknowledged this, stating he also knows their comments with respect to the School Board's no smoking policy.

MOTION DEFEATED

Councillor Wiseman stated there is already a problem with Members of Council leaving meetings with no quorum, and this is not due to smoking. She advised the no-smoking policy has worked well for the School Board.

Councillor Eisenhauer questioned the legality of the City's ordinance in this respect. Mr. Cragg indicated the Ordinance does apply to the County's Administration Centre, given that it is located in the City of Halifax, and it is a public building.

Councillor Deveaux stated he should support the motion. However, he felt because he does not smoke, he should not force others to do likewise. He expressed hope that Councillors who do smoke will show some restraint.

Councillor Rawding stated breathing second-hand smoke has been proven dangerous, and allowing smoking in the Council Chamber and Boardrooms is setting a bad example, as well as breaking the Ordinance. He agreed people have a right to smoke, but they should not interfere with others rights, as it is only common courtesy not to smoke when it is bothersome to others.

MOTION DEFEATED

RURAL AND NATIVE HOUSING - COUNCILLOR WALKER

Councillor Walker expressed dissatisfaction with the service provided by CMHC with respect to the Rural Residential Assistance Program. He advised this has been discussed at the Rural Services Committee level, and stronger efforts should be made to have this program administered under the auspicious of the Municipality.

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

"THAT strong efforts be made to have the delivery agency of the Residential Rehabilitation Assistance Program changed to the municipal units from the Rural and Native Housing office in Truro;

ALSO THAT the Members of Parliament from these areas, Howard Crosby, Mike Forrestall, and Elmer MacKay, be asked to meet with Members of Council to discuss this issue."

Following a short discussion, Councillor Fralick indicated he would support the motion because he has not received any answers from previous discussion with representatives of this agency.

MOTION CARRIED

EMERGENCY AGENDA ITEMSCouncillor Rawding - Policing

Councillor Randall indicated his discussion regarding Policing was dealt with when discussing area rates.

Councillor Rawding expressed concern about recent difficulty in Sackville with slow response from the RCMP to break and enter calls. He noted the Provincial government recently acknowledged that a study should be done to assess the police situation in Sackville. He felt recent cost-sharing for additional policing should open the door for more discussion about increased cost-sharing for policing in any area of the County where it is required.

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

"THAT a meeting of the Police Committee be arranged as soon as possible;

ALSO THAT it be brought to the attention of the Chairman of this Committee recent incidents and concerns about the lack of response by the Sackville Detachment of the RCMP;

ALSO THAT the Police Committee immediately begin discussions with the Attorney General's office to press for 100 percent Provincial funding for policing over and above the present rural standards of policing in the County of Halifax.

Councillor MacKay stated there is a deficiency in policing services all across the County, and when this matter was dealt with at the last Session of Council, a resolution was passed that Council request a police study for all of Halifax County. He felt this action would mean a number of on-going meetings with the necessary authorities.

Warden MacKenzie clarified there is a meeting of the Police Committee scheduled for May 22, 1987.

Councillor Rawding advised he is speaking of a specific situation where there is a specific deficiency, and there should be immediate communication with the Province to get to the bottom of this. He suggested there should be a meeting to address this particular problem alone.

Following some discussion, Councillor MacDonald commented additional policing is not a problem in Sackville; the style of policing is the problem.

MOTION CARRIED

COUNCIL SESSION

MAY 19, 1987

PRESENT WERE: Councillor Walker
Councillor Fralick
Councillor P. Baker
Councillor C. Baker
Councillor DeRoche
Councillor Adams
Councillor Randall
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Merrigan
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Deputy Warden 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

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

Mr. Kelly called the Roll.

APPROVAL OF MINUTES

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

"THAT the minutes of the Committee of the Whole, March 25, 1987 be approved as circulated."

MOTION CARRIED

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

"THAT the minutes of the Committee of the Whole, March 26, 1987 be approved as circulated."

MOTION CARRIED

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

"THAT the minutes of the Committee of the Whole, April 2, 1987 be approved as circulated."

MOTION CARRIED

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

"THAT the minutes of the Joint Council Session, April 7, 1987 be approved as circulated."
MOTION CARRIED

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

"THAT the minutes of the Regular Council Session, April 7, 1987 be approved as circulated."
MOTION CARRIED

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

"THAT the minutes of the Public Hearing, April 13, 1987 be approved as circulated."
MOTION CARRIED

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

"THAT the minutes of the Committee of the Whole, April 14, 1987 be approved as circulated."
MOTION CARRIED

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

"THAT the minutes of the Public Hearing, April 27, 1987 be approved as circulated."
MOTION CARRIED

EMERGENCY AGENDA ITEMS

Councillor Merrigan - Beaverbank Road

PRESENTATION, RE CHEMICAL SPRAYING, FLOYD DAY AND DAVID ORTON

Mr. Kelly introduced Mr. Floyd Day and Mr. David Orton to Members of Council. He noted there was a copy of the presentation circulated to Members of Council. He noted attached to the presentation was a copy of resolution called for informed consent or informed rejection governing all pesticide spraying of forests, power transmission lines, roadways and railway lines in Halifax County.

Mr. Day presented a petition to Deputy Warden Mont. The petition contained 638 signatures of residents of the County of Halifax, mainly residents, cottage owners, and campers from Musquodoboit Harbour to Ecum Secum. He stated there will be heavy spraying in this area, possibly this summer. He stated approximately 50 miles will be sprayed with toxic chemicals, and it is felt this is a health hazard and that it will do much damage to wildlife, birds, fish, etc. He stated that nobody was forced to sign the petition. Some of the papers are missing; they were taken from their posted location after they were

filled with names. He felt people signed this petition because they are concerned about their children, the environment, etc. Others did not sign the petition because they feared for their jobs and government contacts. However, they are against the spraying.

Mr. Day continued that there are approximately 3,000 unemployed in Halifax County, and they could be employed cutting out the power lines, and protecting the environment and forests without spraying. He felt there are many alternatives.

Mr. Day stated there are many alternative programs being undertaken by the public, using their own time and money to protect the environment. He noted fish have taken a sharp decline over the past ten years, and there are programs being undertaken to help bring these fish and birds back. Mr. Day stated the power line proposed for spraying runs near the backyard and water supply of many homes, and if these chemicals got in the water supply, it would not be safe for consumption.

Mr. Day informed between 50 and 100 birds are released each year, and some of them do not survive, others are shot, but the poison from chemical spraying kills many of them. He stated the more clear cutting that is done, the more chemical spraying is required, and there should be less clear cutting. He noted the water levels are declining; lakes have dropped one foot in the past year.

Mr. Day informed he worked with wildlife for over 50 years, and he has never seen a decline until this chemical spraying was started. The Department of Land and Forests is not asking for gizzards from black ducks so they can determine the cause of their decline. He stated the forests are becoming softwood farms because the companies are looking for hardwood. Hardwood trees are required for the survival of wildlife, birds, and fish. Mr. Day continued that the Tourist Association should be concerned because tourists will not be impressed with all the softwood and clearance of hardwood.

Mr. Day concluded that Municipal government should try to have more control over the forests. Five hundred thousand people have died around the world from chemical spraying, and it may be Nova Scotians next. He stated Halifax wildlife submitted a resolution to the Province this year to stop all spraying in Nova Scotia, and the Minister of Lands and Forests clearly indicated denial of this resolution. Hardwood trees are the most valuable in the Province, and we should be doing something to protect them.

Councillor Fralick asked if the clear cutting is being done on private land or crown land. Mr. Day responded that most of the clear cutting has been completed on crown land, and they are now working on private land. The Province offers many benefits to allowing them to clear cut, such as 50 percent tax reductions, road building, etc. He stated it is hard to decline these benefits, but once these lands are given up for clear cutting the owner has no say. The land will be replanted and sprayed.

Councillor Fralick inquired about the numbers opposed to the spraying. Mr. Day informed 638 signed the petition, and he did not feel this is a significant number. He stated if a proper survey was carried out there would be many more signatures. He stated it is difficult to get in contact with everybody, and several are nervous about signing such a petition.

Councillor P. Baker expressed support for the efforts of Mr. Day and Mr. Orton, and he expressed hope that the rest of Council would also support them. He stated there are not enough people speaking out against this destruction of wildlife and fish. He noted the country is much different than it was in the past, and it is because of chemical spraying. He expressed concern that people would be afraid to sign a petition such as that presented because of political favouritism. Mr. Day stated many people would not even look at the petition because they feared for their \$30,000 and \$40,000 jobs, although they believed in the cause.

Councillor C. Baker stated he is glad there is somebody taking notice of these facts and trying to do something about them. He noted the changes in the environment and the numbers of fish and wildlife. He felt acid rain and salt on the roads also contributed to this. He inquired about the position of the Department of Lands and Forests in this regard. Mr. Day informed the Department of Lands and Forests support the spray program. He informed Maritime Tel & Tel spraying was ceased last year by written letters expressing opposition. He felt the Department of Land and Forests is supporting large companies rather than the people and the wildlife. He stated he lived off the land 50 years ago, but it would be impossible to do this now. Eventually there will be more pressure put on the government for more assistance cheques because they people can no longer live off the land. Councillor C. Baker stated he would support the efforts of Mr. Day and Mr. Orton 100 percent. The hardwood trees are needed for scenery around the entire Province, and something should be done to save this.

Councillor Eisenhower questioned about the difference between the clear cutting program and the spraying program. Mr. Day stated the more clear cutting done, the more spraying will be required. He stated when the clear cut areas are replanted, and when they are so high, they must be sprayed. The trees are planted manually a certain distance apart. Hand guns are then used to spray between the trees. There is also a machine that goes over them, which destroys many of them.

Councillor Eisenhower stated these issues have been brought forward on a number of occasions, most particularly at the national level. He stated once this matter goes beyond Ottawa it becomes an issue with the farmers. Mr. Day stated his efforts are not against the farmers because they are putting it in the ground; however, pulp companies are putting it on the ground which may be different. He stated the farmers are getting further and further away from spraying programs. Sooner or later farmers will have to spend millions of dollars to clean up their land, if they continue to spray. He stated they cannot continue to put poison on the ground without ill effects.

Councillor Eisenhower stated he recently noticed along the Old Annapolis Valley Road that the power lines are being cut manually, rather than clear cutting. He felt this may have been because spraying programs are being deserted. He stated he was impressed to see this. Mr. Day stated an alternative is to cut the wooded areas manually. He informed the chemical sprays used are approximately \$60 per gallon, so it would be just as economical to hire students to cut the wooded areas manually. He stated rather than see it sprayed, he would volunteer to do the work himself.

Councillor Merrigan stated he is against spraying, although he is not aware of all the dangers involved; he suggested nobody is aware of all the danger involved. He asked what action Mr. Day and Mr. Ortin would like Council to take. He noted there is no municipal authority to stop chemical spraying, as it is an environmental and lands and forests problem. Mr. Day stated the Municipality should have the final say as to what happens in its wooded areas. He suggested the Minister of Lands and Forests be approached with these concerns by the County of Halifax.

Councillor Reid informed that Halifax County can control spraying along roadsides. He informed he and Councillor Lichter worked with the Department of Agriculture three years ago to determine a method whereby Halifax County would approve of spraying along roadsides in Halifax County. He noted this is the purpose of the proposed resolution - a direct approach to every abutting landowner and agreement from him or his property is not sprayed.

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

"THAT Halifax County Council accept the resolution calling for informed consent or informed rejection governing all pesticide spraying on forests, power transmission lines, roadways and railway lines in Halifax County."

He noted the resolution is not acceptance of the petition, as it is quite different.

Mr. Orton stated the resolution tends to take away the sentiment of the petition. He noted the people most directly affected by spraying have some say into this matter through the petition. He stated a doctor has some responsibilities when operating on a patient, meaning conformed consent, and the same conformed consent should apply to those property owners who will have their property sprayed.

Mr. Orton identified himself as a representative of the North Shore Environmental Web, based in Pictou, Colchester, and Cumberland Counties. He next reviewed each of the clauses contained in the resolution he and Mr. Day presented. He also referenced several chemicals used for spraying and the dangers involved with them. Mr. Ortin also quoted from several sources, referring to the dangers of chemical spraying.

Mr. Ortin stated in order to spray, a permit is required. The permit states "...failure to adhere to permit stipulation guidelines constitutes an offense under the Environmental Protection Act; such offenses are liable for prosecution under the Environmental Protection Act." He stated he is not aware of any prosecution as a result of failure to adhere to permit stipulations. However, there have been several known violations. He referred to one such violation in the Musquodoboit area in July, 1982, and there was no prosecutions as a result of that violation. He also referred to a more recent violation acknowledged by the former Minister of the Environment, Guy LeBlanc.

Mr. Ortin stated the resolution as presented is limited. He stated supporters of pesticide spraying could also support the resolution because it only asks that those most directly affected have access to information and have input into the spraying of their properties. The resolution would be a great advance for the existing situation. He advised this resolution has already been adopted by Hants East Council and Victoria County Council, as well as the Women's Health Education Network. He informed the resolution simply asks that residents within one kilometre of a proposed spray block be notified of proposed spraying 30 days in advance, and that residents have the right and responsibility to give informed consent or informed rejection by signature.

Following Mr. Ortin's presentation, Councillor MacDonald stated he agreed that chemical spraying would have an affect on society in the long run. He asked if there are any alternatives to spraying to control weeds and growth. Mr. Ortin stated in the forests it would be beneficial to move away from large-scale clear cutting towards selection of very small openings, using natural reseedling, etc. In terms of power lines, if opposition is shown towards spraying of power lines, they will not be sprayed, and they will be prepared to manually cut the lines. However, this is not advertised.

MOTION CARRIED

LETTERS AND CORRESPONDENCE

Office of the Minister of Fisheries and Oceans

Mr. Kelly reviewed this letter concerning the Maritime Salmon License Buy-Back Program in the Provinces of New Brunswick and Nova Scotia.

Councillor C. Baker expressed difficulty with this response to Council's letter. He felt there should be futher clarification. Mr. Kelly informed the buy-back program is a shared program between the Federal and Provincial governments, and the Federal governments contribution is the same in each of the Maritime Province; however, the Provincial governments' contribution vary from Province to Province.

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

"THAT the Provincial Minister of Fisheries be asked to explain the varying buy-back prices from Province to Province."
MOTION CARRIED

Minister Responsible for Canada Post Corporation

Mr. Kelly reviewed this letter concerning the mailing address for residents in Cole Harbour/Westphal.

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

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

Minister of Transportation

Mr. Kelly reviewed this response to Council's letter regarding the installation of traffic signals at the Trunk 2-Fall River Road intersection.

Councillor Snow expressed displeasure with this response. He stated the Minister of Transportation or his officials should not be making decisions on the basis they now do. He stated residents of Fall River deserve the same as residents of other areas, such as those in Sackville near the new Superstore. He stated there have been many near-misses and unreported bumps at this intersection, and the Minister of Transportation and his officials are not aware of these. He stated when the sun rises there in the morning it is a very dangerous intersection, and many people are not aware of this. He stated this response is unacceptable to the residents of Fall River.

Councillor P. Baker stated all the blame should not be put on the Minister because they do not usually last long in this portfolio. It appears they are simply a representative for their engineers, rubber stamping and presenting the reports of their engineers.

Councillor MacDonald stated any traffic lights installed at the new Superstore were installed and paid for by the Superstore. He noted this was part of their agreement with the County when this proposal was first initiated.

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

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

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

"THAT a copy of this response from the Minister of Transportation be forwarded to the Premier along with a covering letter that the residents of Fall River totally disagree with the contents of the response;

ALSO THAT the Premier be asked to interceded and have a flashing amber light installed at this intersection."
MOTION CARRIED

Minister of Transportation

Mr. Kelly reviewed this letter concerning certain roads in Musquodoboit Valley which experienced severe problems earlier in the winter. The letter advised that normal maintenance is being carried out, and long term requirements for these roads will be assessed later this year.

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

"THAT this item of correspondence be received."

Councillor Lichter noted that the letter implies maintenance on these roads was not normal last year.

MOTION CARRIED

Minister of Transportation

Mr. Kelly reviewed this letter respecting Council's concerns about a hazardous stretch of road along Highway No. 7.

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

"THAT this item of correspondence be received."

Councillor Randall indicated this matter would be put into his follow-up file.

MOTION CARRIED

The Birches

Mr. Kelly reviewed this letter which was not contained with the agenda. He noted it was a letter of appreciation from the Administrator of the Birches for Council's support for the extension of the activity centre.

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

"THAT this item of correspondence be received."

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

File No. PA-CH/W-1-87 Proposed Amendments to the Cole Harbour Municipal Planning Strategy Land Use By-law - Residential Development in the Watershed Designation.

Mr. Kelly reviewed the report and recommendation respecting this application.

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

"THAT Council pursue the establishment of a Lake Major Watershed Advisory Committee in keeping with a policy contained in the Lake Major Municipal Development Plan."

Councillor Adams expressed appreciation for this action by the Planning Advisory Committee. He stated this has been a long-standing point from the Lake Major Municipal Development Plan of 1981-82 to now.

MOTION CARRIED

Deputy Warden Mont asked what action should be taken now - subsequent to the approval of the establishment of this Committee. Councillor Lichter stated he understands that establishing this Committee will urge the Provincial government more vigourously than in the past to undertake this Committee. Public participation of the plan amendment will take place in approximately one week.

Application No. DA-SA-01-87-16 - Development Agreement - Hardwick Properties Limited, Abbeydale Court, Lower Sackville

Mr. Kelly reviewed the report.

Councillor Lichter informed there has been communication from the applicant requesting that this public hearing be scheduled for July 13 when other public hearings can also be scheduled.

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

"THAT Application No. DA-SA-01-87-16 be approved and that a public hearing be scheduled for July 13, 1987 at 7 p.m."
MOTION CARRIED

BUILDING INSPECTORS REPORTS, RE LESSER SETBACKS

Fred Davis, 859 Prospect Road, Goodwood

Mr. Kelly reviewed the report.

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

"THAT a lesser setback of 2 feet be approved for property located at 859 Prospect Road, Goodwood, applicant Fred Davis."
MOTION CARRIED

Norman Newell, Lot 325, Churchill Estates, Herring Cove

Mr. Kelly reviewed the report.

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

"THAT a lesser setback of 20 feet be approved for property located at Lot 325 Churchill Estates, Herring Cove, applicant Norman Newell."

MOTION CARRIED

Lot 1XA, Subdivision of Land of Eastern Shore PC Association, Musquodoboit Harbour

Mr. Kelly reviewed the report.

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

"THAT a lesser setback of 23.1 feet be approved for property located at Musquodoboit Harbour - Lot 1X1, Subdivision of Eastern Shore PC Association."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Requests for District Capital Grants and Parkland Fund Grants

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

"THAT approval be granted for a District Capital Grant, District 14 in the amount of \$400 for improvements to Senior Citizens Hall property, Fall River."

MOTION CARRIED

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

"THAT approval be granted for a District Capital Grant, District 14 in the amount of \$2,690 for improvements to the Waverley Fire Department."

MOTION CARRIED

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

"THAT approval be granted for a District Capital Grant, District 14 in the amount of \$1,500 for improvements to the Wellington Fire Department."

MOTION CARRIED

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

"THAT approval be granted for a District Capital Grant, District 19 in the amount of \$3,130 for improvements to Springfield Recreation Centre."

MOTION CARRIED

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

"THAT approval be granted for a District Parkland Grant, District 15 in the amount of \$4,000 for improvements to the Beaverbank-Kinsac ballfield."

MOTION CARRIED

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

"THAT approval be granted for a District Capital Grant, District 20 in the amount of \$10,000 for improvements to ballfields, First Lake Drive, Sackville."

MOTION CARRIED

Vehicle Acquisitions, 1987

Mr. Kelly reviewed the report and proposed vehicle acquisitions for 1987.

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

"THAT approval be granted for the withdrawal from the Vehicle Reserve fund in the amount of \$65,000 for 1987 vehicle acquisitions for two vehicles for the Recreation Department and two vehicles for the Engineering and Works Department."

Councillor MacDonald expressed agreement that the two Recreation trucks should be replaced, as they are in poor condition. He stated they do much work in the community, but nobody knows who they belong to. He asked if these vehicles will have the County crest on them. Mr. Meech informed it is intended to have these vehicles in the beige color and to have County identification applied to each of the vehicles.

Councillor Snow asked if District 14 could purchase the old van. Mr. Meech stated this could probably be arranged. Councillor Snow should speak to Mr. Ardley respecting this.

Councillor Walker stated there appears to be no consistent format to the purchase of County vehicles. He asked if there is any policy in this respect. Mr. Meech responded that this requisition is the first attempt to purchase vehicles on an annual basis. He advised there was a vehicle purchased for Building Inspection recently, as well as another for the Aeroteck Park. He also advised it was proposed a vehicle would be required for the Executive Office this year, but Mr. Kelly has determined that this vehicle can be utilized for at least another year without any major problems. Councillor Walker inquired about an inventory of vehicles. Mr. Meech stated there is an inventory of equipment and vehicles kept. He stated this could be provided to Members of Council, if so desired. Councillor Walker expressed an interest in this report.

MOTION CARRIED

AGENDA ITEMS

Councillor Merrigan - Beaverbank Road

Councillor Merrigan advised the frost has come out of the ground by now, and the Department of Transportation should be caught up with all the problems they had with roads. However, the Beaverbank road is still full of potholes.

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

"THAT a letter be written to the Minister of Transportation requesting that he investigate the problems on the Beaverbank Road, that he not rubber stamp an investigation carried out by staff, and that he determine what can be done to drive safely on the roads in Beaverbank."

Councillor Merrigan noted there were also some speed limit signs knocked down in his district, and after they were reported down, crews from the Department of Transportation replaced them without considering where they should go, etc. He stated the Minister should try to show some control in these situations.

MOTION CARRIED

ADDITION OF ITEMS TO THE JUNE 9, 1987 COUNCIL SESSION

None

ADJOURNMENT

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

"THAT this Session of Council adjourn."

MOTION CARRIED

PUBLIC HEARING

MAY 11, 1987

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

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

SECRETARY: Glenda Higgins

Warden MacKenzie called the public hearing to order at 7:05 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 McInroy:

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

APPLICATION NO. PA-EP/CB-13-87 - AMENDMENT TO THE EASTERN PASSAGE/COW BAY MUNICIPAL DEVELOPMENT PLAN TO ALLOW LIMITED SUBDIVISION WITH REDUCED LOT FRONTAGES IN THE RESIDENTIAL "B" DESIGNATION AND UNSERVICED PORTION OF THE RESIDENTIAL "A" DESIGNATION, FOR LOTS HAVING A MINIMUM LOT WIDTH TO LOT DEPTH RATION OF ONE TO FOUR

Mrs. MacKinnon reviewed the staff report concerning this application. She stated these amendments are required in order to apply the reduced

lot frontage provisions of part 14.1 and part 14.3 (d) of the Subdivision By-law. She continued that the proposed amendments would apply the reduced lot frontage provisions of the Subdivision By-law. Two lots in the Eastern Passage plan area which are zoned R-6 or R-7 are in existence on the effective date of the plan amendment and have a minimum lot width, lot depth ratio of one to four (1:4).

Questions from Council

None

Speakers in Favour of this Application

Daniel Lafitte, Eastern Passage, informed there are many long, narrow lots surrounding his area, and his in particular is 20 acres. However, only one home can be built on this amount of land with the existing regulations. The water and sewer system in this area will not affect much of this land when it is approved. Two existing lots here now are 155' x 400'; another is 155' x 350', and the last is 155' x the remainder of the land. The houses built here will not be on top of each other, there will be 300 to 400 feet between each home with good width on either side. There will be plenty of room for a 25 foot right-of-way on each side of the house.

Questions from Council

Councillor Deveaux asked Mr. Lafitte if he was aware that approval of this amendment will mean services cannot be demanded along the private lane. Mr. Lafitte informed he is aware of this. His present dwelling has been on a private lane for three years, and it has been maintained by himself.

Speakers in Opposition to this Application

None

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

"THAT the amendments to the Eastern Passage/Cow Bay Municipal Development Plan outlined in Option 2 of the staff report be approved by Municipal Council."

Councillor Deveaux expressed hope that Council would support this motion. He advised this has been one of his objectives for a number of years to allowing people owning these strips of land to make use of them. He noted most of these lands will be allocated to children of the owners for new homes, and they should be able to use this land as anybody else wanting to build a home. He stated there will still be many parcels of land along here with some restrictions, but approval of these amendments will be a stepping stone towards future expansions.

MOTION CARRIED UNANIMOUSLY

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

"THAT the amendments to the Eastern Passage/Cow Bay Zoning By-law as outlined in Option 2 of the staff report be approved by Municipal Council."

MOTION CARRIED UNANIMOUSLY

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

"THAT the amendments to the Subdivision By-law as outlined in Option 2 of the staff report be approved by Municipal Council."

MOTION CARRIED UNANIMOUSLY

APPLICATION NO. DA-EP/CB-26-85-06 - PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE MUNICIPALITY OF THE COUNTY OF HALIFAX AND PUD'N HEAD SEA CROPPERS INC. FOR A RESTAURANT TO A MAXIMUM SIZE OF 1,000 SQUARE FEET LOCATED ON LAND LEASED FROM THE PROVINCE OF NOVA SCOTIA ON MCNAB'S ISLAND

Mrs. MacKinnon identified the application and the purpose of the proposed development agreement. She identified the location of the property in question on a map on the overhead projector, noting the proposed restaurant will operate from an existing building presently used as a park information centre. She advised this development agreement will be carried out according to the plan policy approved in May, 1985. She stated this agreement will apply only to the restaurant site and to the pedestrian access to it.

Mrs. MacKinnon continued, reviewing the agreement. She clearly identified sections dealing with construction standards, maintenance of garage dumping, pedestrian access from the wharf, and health approval for sewage disposal systems and wells. She noted there is a submission by Mr. John Jenkins who proposes to operate this restaurant. This submission was circulated to all Members of Council.

Questions from Council

Councillor Deveaux asked if the Municipality has any input into the lease between the restaurant owner and the Province. Mrs. MacKinnon advised the Municipality is not involved in this lease agreement. The Department of Lands and Forests looked at the development agreement and expressed no objection to the proposed use.

Councillor Deveaux clarified that anybody else would have the same opportunity to go through the same procedure to lease land on McNab's Island. Mrs. MacKinnon advised the Municipal Planning Strategy is written so that anybody who owns land within the Provincial park zone has the opportunity to apply for such a development agreement.

Councillor Deveaux stated he was never opposed to a tea room on McNab's Island, especially given the increasing number of people visiting the island. He noted the RCMP apply controls on the island during the summer months now. However, he was of the understanding much of the

construction has already taken place with respect to this expansion. Mrs. MacKinnon advised it has. He stated as visitors increase there is a need for more services, and this must be considered. It will help the economy.

Councillor MacKay referred to the staff report, inquiring about the sentence which read: "Municipal enforcement will be against it rather than the Province." Mrs. MacKinnon referred to the development agreement, stating if any terms of the agreement were breached, the Municipality would go after the developer of the restaurant and not the owner of the land, which is the Crown.

Speakers in Favour of this Application

None

Speakers in Opposition to this Application

None

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

"THAT the proposed development agreement between the Municipality of the County of Halifax and Pud'n Head Sea Croppers Incorporated, for the construction of a restaurant on McNab's Island, be approved by Municipal Council."

MOTION CARRIED UNANIMOUSLY

APPLICATION NO. DA-SA-02-87-19 - PROPOSED AMENDMENT TO A DEVELOPMENT AGREEMENT BETWEEN HALIFAX COUNTY MUNICIPALITY AND LANGEVIN DEVELOPMENTS (HALIFAX COUNTY CONDOMINIUM CORP.) TO ENABLE THE SALE OF THE REAR PORTION, TOTTALLING APPROXIMATELY 20,000 SQUARE FEET OF LOT A, LOCATED AT 51 CONNOLLY ROAD, SACKVILLE

Mrs. MacKinnon advised this application is for an amendment to a development agreement between the above-noted parties. She identified the location of the property in question on a map on the overhead projector. Mrs. MacKinnon advised in June, 1986 the Municipality entered into a development agreement with Langevin Developments for the purpose of constructing a townhouse project on the site in question. On January 6, 1987 Council accepted a proposal from Mr. Rogers, Langevin Developments, that they purchase the rear portion of the lot, and that this portion of the lot be added to the Sackville Heights Elementary School site. She noted Council has been involved for some time.

Mrs. MacKinnon advised an amendment to the development agreement is now required to alter the rear yards for these projects in order that this be subdivided and sold as part of Sackville Heights Elementary School. She identified the effects of the amendment on the overhead project, noting it will reduce the required rear yard by 200 feet to 70 feet for main buildings, and for accessory buildings, the rear yard requirement will be reduced to 35 feet. She advised the Municipal Solicitor has

advised the sale of this rear portion is a major change to the agreement, requiring a public hearing. Mrs. MacKinnon stated the Planning and Development Division recommend approval of the amendment.

Questions from Council

Councillor MacKay stated he supports this application, and there is no question with respect to the feasibility of this project. He clarified that 51 percent of the units must be sold before the Condominium can be registered. He asked if this particular one is not registered at this time, what are the legal aspects of it, which respect to purchasers of respective units. He also asked if sales are attained to the required 51 percent and it is registered, is the Condominium Corporation the party the Municipality would enter into the agreement with. Mr. Cragg responded that he was not aware of the status of the Condominium Corporation or whether the units have been or presently under construction. He stated correspondence with staff concerning this matter was addressed to the agreement and the fact that the deletion of the substantial portion in the rear would affect the side and back yard clearances. He stated if the Condominium Corporation has not been registered, it has no status, and purchasers of units are doing so at their own risk. If the Corporation does not become registered, there is nothing for the purchasers to acquire an interest in. Mr. Cragg informed if the Condominium Corporation was registered, Halifax County would enter into the agreement with the Corporation. However, he was of the understanding it has not been registered. Councillor MacKay clarified that the amendment to the development agreement can be approved by Council, subsequently the legal matters would be dealt with by Mr. Cragg in the agreement of purchase and sale.

Mrs. MacKinnon advised at the request of the Sackville Advisory Board, Mr. Rogers was contacted to ensure that the residents were aware of the subdivision and subsequent sale of the land. Mr. Rogers informed this was part of the purchase and sale agreement; therefore, future purchasers will also be aware of this.

Councillor MacDonald clarified that residents presently living in the condominiums were notified. The Corporation has been registered at this time, with Langevin Developments owning 84 percent of the project.

Speakers in Favour of this Application

Bruce Rogers, advised the original development agreement included various setbacks, however, the 270 foot setback was only so condominiums could not be built any further back than necessary. When the original development agreement was approved, it was not felt this amendment would be inquired. Since that time there have been negotiations with the County and the School Board to sell the back portion of the land to Sackville Heights Elementary School. Mr. Rogers clarified that the Condominium Corporation has been registered, and it has been given the number 123. The two purchasers of condominiums presently living there are aware of the shorter depth of the lot. There are two other purchase and sale agreements pending, and both of those prospective purchasers have been given legal descriptions showing the amended setbacks.

Questions from Council

None

Speakers in Opposition to this Application

None

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

"THAT the development agreement between Langevin Developments (Halifax County Condominium Corporation) and Halifax County Municipality be amended as per Appendix "A" of the staff report respecting Application No. DA-SA-02-87-19."
MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

Warden MacKenzie asked Members of Council if they had received an invitation to celebrate Municipal Awareness Week at Bayers Lake/Ragged Lake Industrial Parks. Members of Council indicated they did not receive this invitation. Councillor Deveaux inquired about the date and time of the celebration. Warden MacKenzie clarified it is for Wednesday, May 20, 1987. The invitation was extended through the Halifax Board of Trade. He noted he may have to have Deputy Warden Mont attend this ceremony on his behalf.

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

"THAT this public hearing adjourn."
MOTION CARRIED

AGENDA

TO: Warden MacKenzie and Members of Council
FROM: Joan MacKinnon, Senior Planner, Policy Division
RE: PUBLIC HEARINGS
DATE: May 11, 1987

PA-EP/CB-13-87

1. Amendment to the Eastern Passage/Cow Bay Municipal Development Plan to allow limited subdivision with reduced lot frontages in the Residential "B" Designation and unserviced portion of the Residential "A" Designation, for lots having a minimum lot width to lot depth ratio of one to four (1:4).
 - Requires a majority vote of the whole Council.
2. Amendment to the Eastern Passage/Cow Bay Zoning By-law to implement the above-noted plan amendment.
 - Requires a majority vote of the whole Council.
3. Amendment to the Subdivision By-law to implement the above-noted plan amendment.
 - Requires a majority vote of the whole Council.

DA-EP/CB-26-85-06

Proposed development agreement between Halifax County Municipality and Pud'n Head Sea Croppers Inc. for a restaurant, to a maximum size of 1,000 square feet, located on land leased from the Province of Nova Scotia on McNab's Island.

- Requires a majority vote of Councillors present.

DA-SA-02-87-19

Proposed amendment to a development agreement between Halifax County Municipality and Langevin Developments (Halifax County Condominium Corp.) to enable the sale of the rear portion, totalling approximately 20,000 square feet, of Lot A, located at 51 Connolly Road.

- Requires a majority vote of Councillors present.

L4D

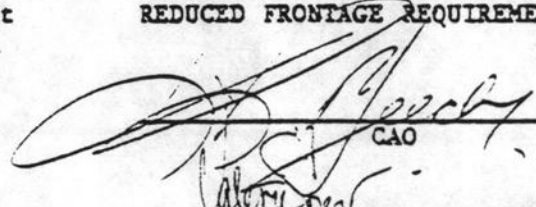
STAFF REPORT

TO: Planning Advisory Committee
FROM: Dept. of Planning & Development

PROPOSED AMENDMENTS TO THE
EASTERN PASSAGE/COW BAY
MUNICIPAL PLANNING STRATEGY -
REDUCED FRONTAGE REQUIREMENTS

DATE: March 2, 1987

FILE NO. PA-EP/CB-13-86



CAO

DIRECTOR, PLANNING & DEVELOPMENT

RECOMMENDATION:

THAT THE AMENDMENTS TO THE EASTERN PASSAGE/COW BAY MUNICIPAL PLANNING STRATEGY OUTLINED IN OPTION 2, AND ATTACHED TO THIS REPORT AS APPENDICES "D" AND "E", BE APPROVED BY MUNICIPAL COUNCIL.

BACKGROUND

This report has been prepared in response to PAC direction to provide the necessary amendments to allow subdivision of long narrow landholdings in the Eastern Passage area. Options 1 and 2 outline specific amendments and are attached as Appendices "A" to "E" of this report.

The Planning Advisory Committee, through staff reports and committee discussion, has been provided with a considerable amount of background information on this issue. In the past, its discussion has focused on attempts to deal with a specific subdivision application in Eastern Passage. It should be noted that the attached amendments are of a more general nature.

It has consistently been staff's position that any reduced road frontage requirements not be considered in areas within the serviceable boundary. This should now also include the proposed serviceable boundary (Map 1, p.5). The introduction of reduced lot frontage requirements in serviced areas does not, in the long run, promote a rational, well designed community when provided on a "hit or miss" basis. The CDD concept, available in serviced areas, combines reductions and planning and is valid in those serviced areas.

The overall intent of the Eastern Passage/Cow Bay Municipal Planning Strategy clearly supports limiting development within unserved areas, and ensuring that "the unserved area is to remain unserved". Therefore, it would be inconsistent with the planning strategy to provide reduced road frontage requirements in unserved areas "across the board". However, the planning strategy does provide some support for considering reduced road frontage requirements on long, narrow lots, through its recognition that the land ownership pattern in Eastern Passage, "makes the development of new roads and subdivisions difficult".

Limiting the application of any reductions to long narrow lots only would address concerns expressed in the planning strategy with controlling the rate and density of development in unserved areas. Therefore, it is proposed that lots having a maximum frontage and lot width of 250 feet a minimum lot area of 40,000 square feet, and a minimum depth of 1,000 feet be eligible for subdivision with reduced road frontage requirements. Such lots have sufficient area for subdivision but are difficult to develop in conformity with traditional subdivision practices, due to their configuration.

There are seventeen long, narrow properties, as defined above, which are located partially or entirely outside the existing and proposed serviceable boundary. Ten of the lots are located on the Shore Road, five on the Caldwell Road, and two on the Cow Bay Road. Any reduced lot frontage provisions should only apply to those seventeen parcels (Maps 2, 3, and 4, pp.6-8).

To summarize the above discussion, Options 1 and 2, outlined below, apply to the seventeen parcels which meet the following criteria:

1. The parcel is located partially or entirely outside the existing or proposed serviceable boundary.
2. The parcel has a maximum frontage and lot width of 250 feet, a minimum lot area of 40,000 square feet, and a minimum depth of 1,000 feet (i.e., it is long and narrow).
3. The lot is zoned R-6 (Rural Residential) or R-7 (Rural Estate) (i.e. it is unserved).

Option 1 provides for subdivision of an unlimited number of lots (subject to Department of Health regulations), as directed by the Planning Advisory Committee. This option requires an amendment to the Subdivision By-law, in addition to amendments to the municipal planning strategy and land use by-law. However, staff has reservations with this option. These reservations are outlined below and in previous staff reports on the subject. Staff have, therefore, provided a second option as a preferable course of action. This option would provide the same potential for subdivision as is available under the Subdivision By-law. Therefore, no amendment to the Subdivision By-law would be required.

OPTION 1

The amendments to the Subdivision By-law and the Eastern Passage/Cow Bay Municipal Planning Strategy and Land Use By-law, which are attached as Option 1, permit the subdivision of lots to occur under the following circumstances:

1. where the lot/lots are served by a single 26 foot right-of-way extending from a public road; or
2. where the lot has at least 26 feet of road frontage and the remainder lot meets the required lot area and frontage requirements.

The intention of Option 1 is to permit subdivision of existing long narrow parcels, as defined above, with the maximum number of lots approved on a right-of-way to be determined by Department of Health regulations and zoning requirements.

These provisions go beyond the provisions of Section 14.1 (a) and (b) of the Subdivision By-law in that they do not limit the number of lots to be subdivided on a right-of-way. Therefore, an amendment to the Subdivision By-law is required in order to fully implement the plan amendment. There are a number of potential problems which may result from such an amendment:

1. Approval of these amendments would provide a small area within the Municipality with certain exemptions which are unavailable elsewhere. There is no evidence to suggest that land ownership characteristics which make subdivision difficult are confined to this portion of the Municipality.
2. The application of this amendment would appear to be inconsistent with the overall intent of the planning strategy to limit development in unserved areas. This is particularly true of lands within the R-7 (Rural Estate) Zone, where the intent is to create large lot rural estate type development.
3. The application of these amendments could result in the creation of "private roads" which would be incapable of meeting Department of Transportation standards, should pressures arise for provincial takeover (Figure 1, p.9).
4. Requirements for Department of Transportation approval of subdivision plans create uncertainty with regard to the likelihood of final subdivision approval being granted.
5. Any significant amount of this type of subdivision would jeopardize any chance of lot consolidation and perhaps more rational development.

In conjunction with Option 1, it is also recommended that any lots to be created with reduced road frontage requirements within the Residential 'B' Designation, not be considered for rezoning to a residential zone with reduced lot area requirements (e.g. R-6 Zone). This condition would partially address concerns with the rate and density of development as expressed in the plan. Given substantial depths of the lots under consideration, this provision would also significantly reduce the potential for creating both "private roads" and poor subdivision designs.

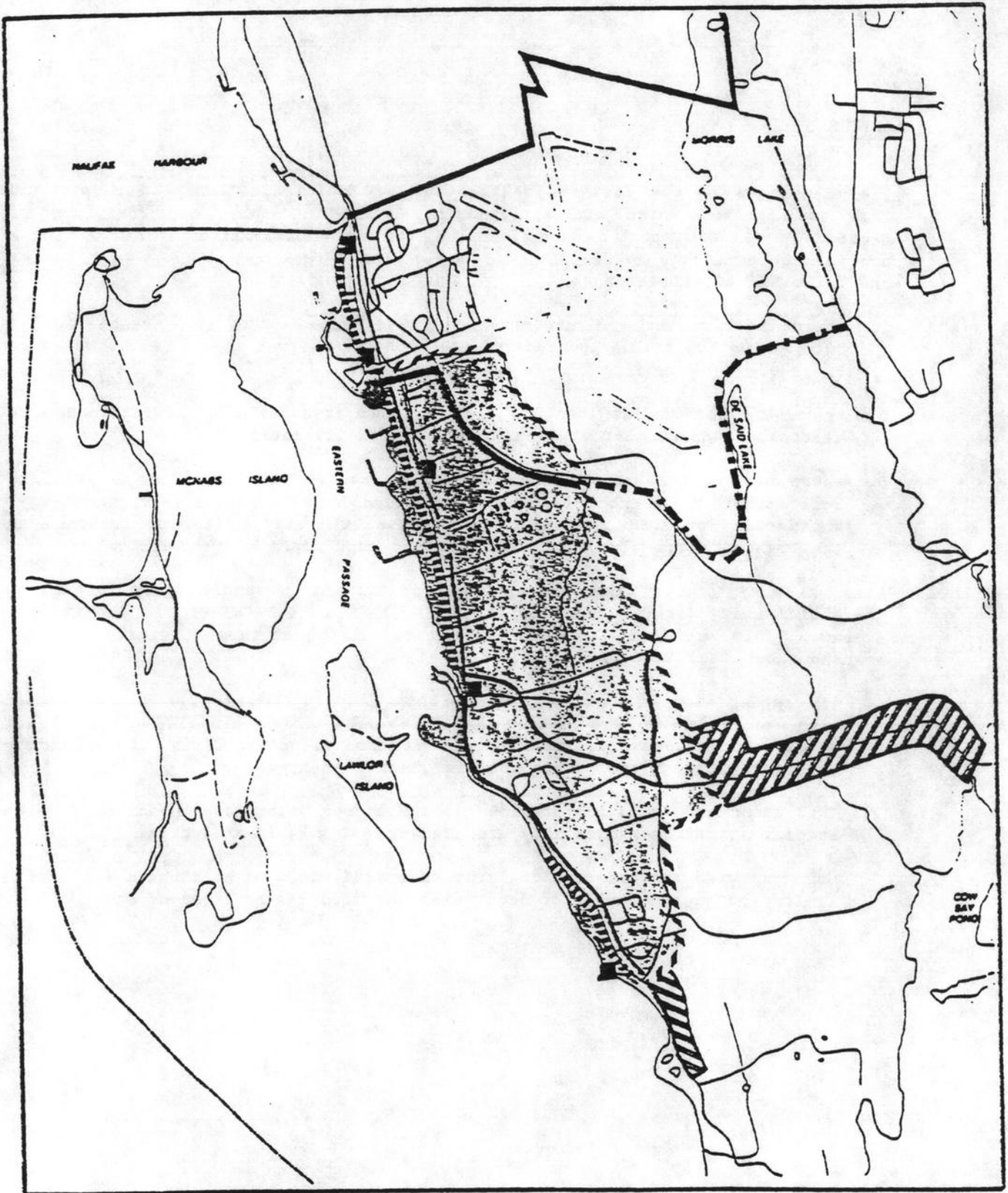
OPTION 2




The amendments to the Eastern Passage/Cow Bay Municipal Planning Strategy and Land Use By-law, which are attached as Option 2, apply the provisions of Sections 14.1 (a) and (b) and 14.3 (d) of the Subdivision By-law. These provisions permit the subdivision of one lot and a remainder lot to occur under the following circumstances:

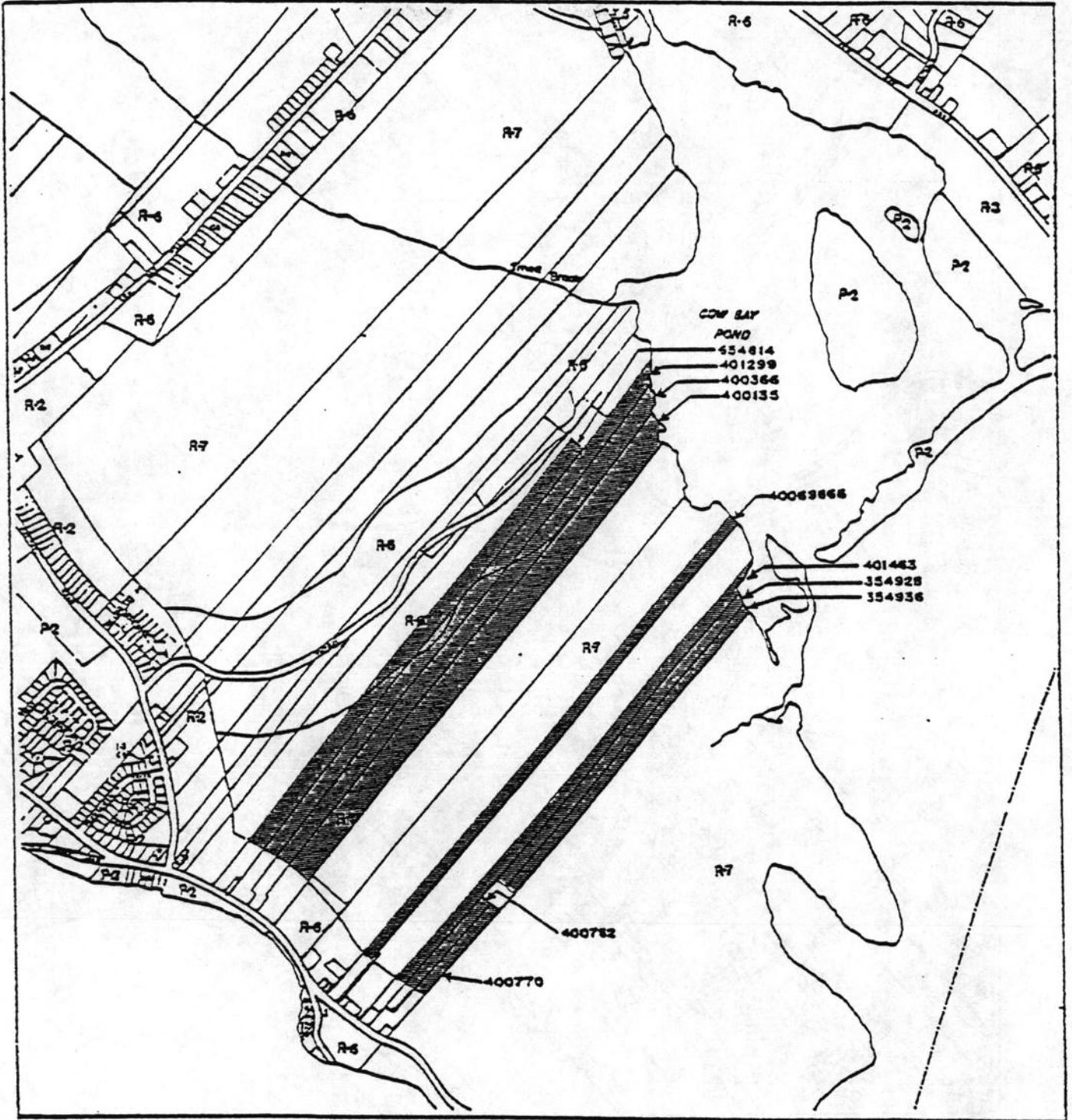
1. where the Minister of Transportation is satisfied it is not feasible to lay out a public road, and where the lot is served by a 26 foot wide right-of-way extending from a public road; or
2. where the lot has at least 26 feet of road frontage and the remainder lot meets the required lot area and frontage requirements; or
3. where one lot and a remainder lot to be subdivided containing a dwelling built prior to December 1, 1984, are served by a 26 foot wide right-of-way, where this lot and the remainder lot have at least 72 feet of frontage on the right-of-way. The lot being approved must contain the dwelling.

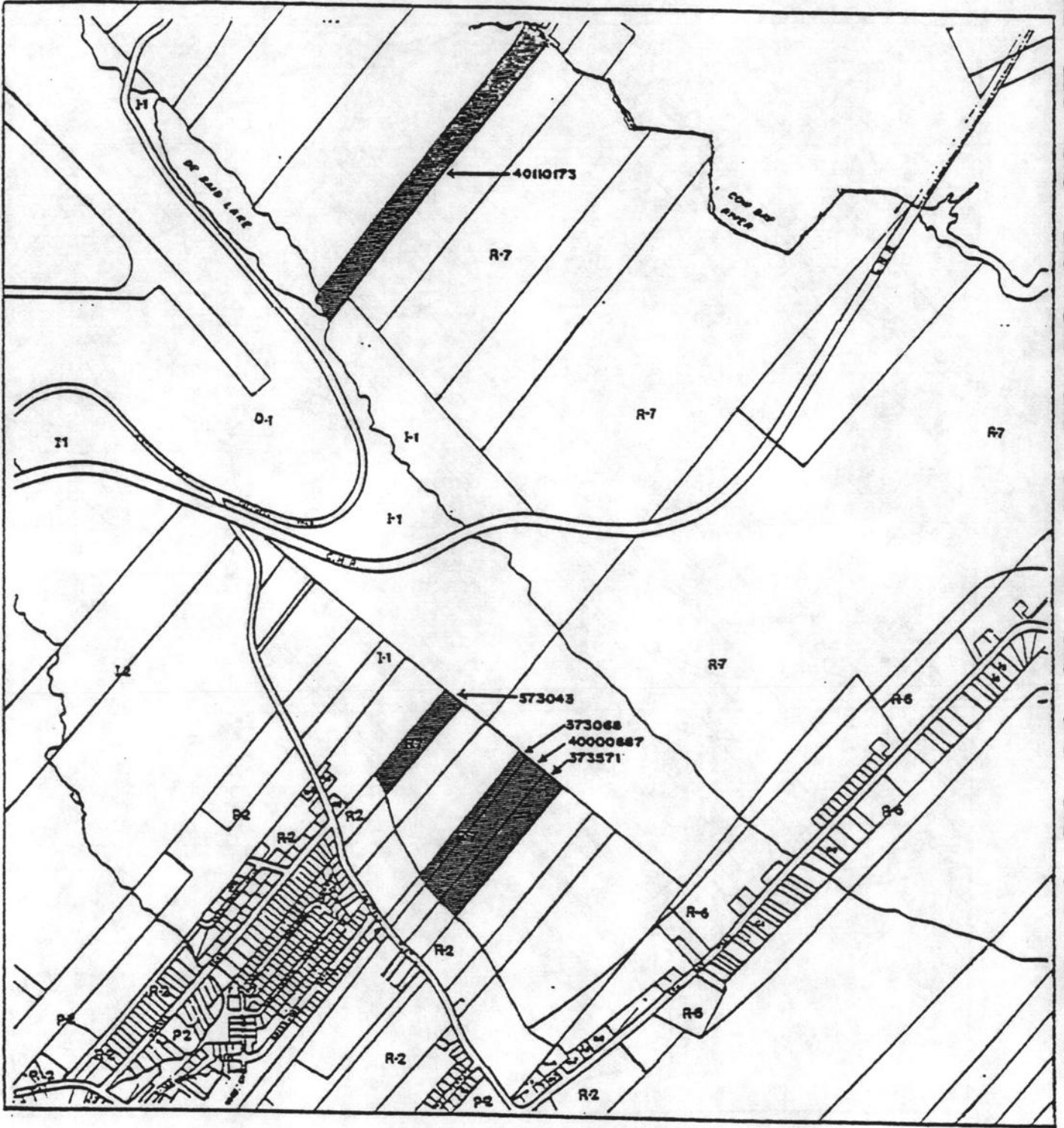
With the exception of plan areas, these provisions presently apply throughout the Municipality through Sections 14.1 (a) (b) and 14.3 (d) of the Subdivision By-law. This amendment addresses a number of the concerns presented by the amendment outlined in Option 1.

1. Its application in limited areas within Eastern Passage/Cow Bay, combined with controls on the number of lots per parcel capable of receiving subdivision approval, respond to concerns identified in the planning strategy with limited development in unserved areas.
2. This amendment would not provide one small area within the Municipality with special exemptions since they are presently available elsewhere.
3. Concerns with the creation of "private roads" would be eliminated due to the limitation on the number of lots being serviced by the right-of-way.



-  SERVICEABLE AREA
-  SERVICE BOUNDARY
-  EXPANDED SERVICE BOUNDARY





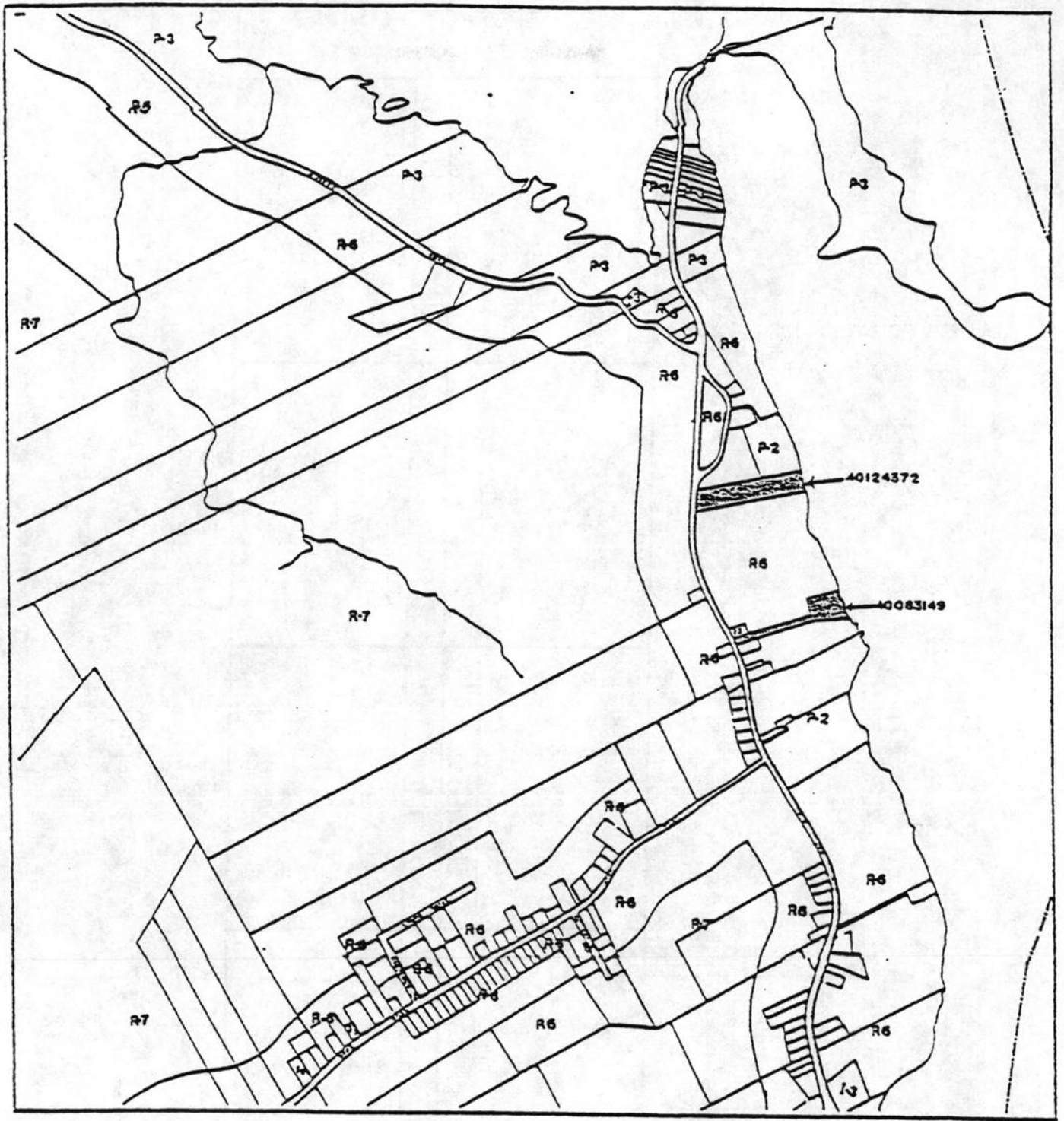
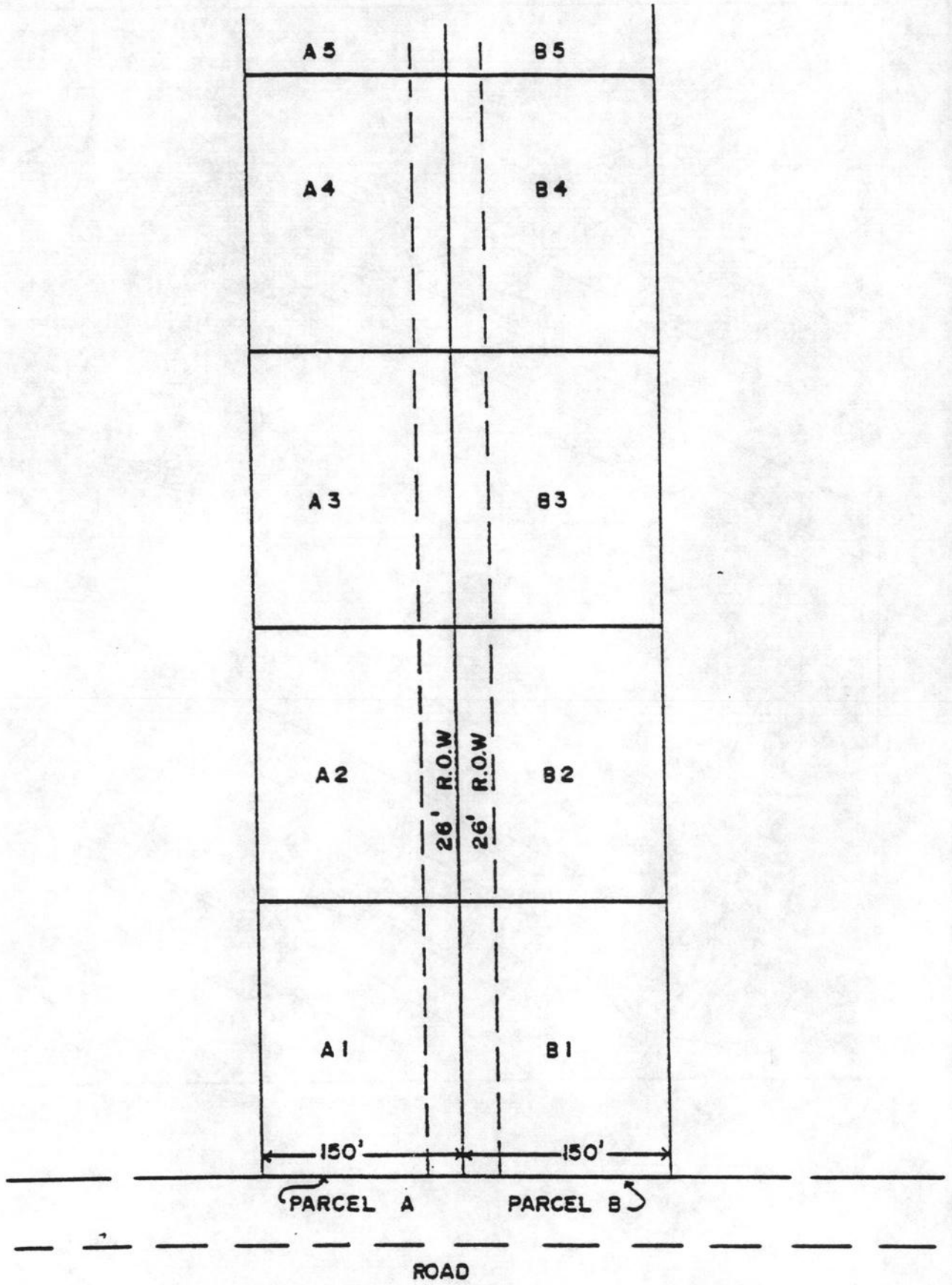


FIG. 1



APPENDIX "A"

A BY-LAW TO AMEND THE

MUNICIPAL DEVELOPMENT PLAN FOR EASTERN PASSAGE/COW BAY

The Municipal Development Plan for Eastern Passage/Cow Bay is hereby amended by:

- (a) adding the following text immediately following the second paragraph of the Residential B Designation:

There are a number of large parcels within the unserviced portion of the Plan Area which have more than sufficient area for subdivision but, due to their configuration, have difficulty developing in conformity with traditional subdivision practices. These parcels, characterized by their long narrow shapes, reflect early subdivision practices.

Reduced lot frontage requirements shall be established in order to facilitate subdivision activity in this limited situation only. However, in order to address concerns with the rate and density of development in the Residential B Designation, an amendment to the Zoning By-law to permit residential development on smaller lots will not be considered for lots created with reduced lot frontages.

- (b) adding the following immediately after P-40(vii):

(viii) that no amendment to the Zoning By-law be considered for lots created pursuant to Policy P-40(a).

- (c) adding the following policies immediately after Policy P-40.

P-40(a) It shall be the intention of Council to amend the Subdivision By-law in order to permit unlimited subdivision of long, narrow lots as identified in Schedule 'D' of the Subdivision By-law, provided that the lot or lots are served by a single right-of-way having a minimum width of twenty-six (26) feet, or have a minimum frontage of 26 feet.

P-40(b) In conjunction with Policy P-40(a), within the Residential B Designation, as well as the unserviced portion of the Residential A Designation, it shall be the intention of Council to permit residential and resource development on lots identified in Appendix "D" of the Land Use By-law, which have been subdivided pursuant to Part 14: Other Approvals Permitted, of the Subdivision By-law.

APPENDIX "B"

A BY-LAW TO AMEND THE
ZONING BY-LAW FOR EASTERN PASSAGE/COW BAY

The Zoning By-law for Eastern Passage/Cow Bay is hereby amended by:

- (a) adding the following as Section 4.31:

4.31 Subdivision With Reduced Lot Frontage

- (a) Where the provisions of this By-law relating to lots identified in Appendix "D" of this By-law conflict with Part 14: Other Approvals Permitted, of the Subdivision By-law, the requirements of the Subdivision By-law shall prevail.
- (b) Notwithstanding the provisions of Section 2.2(1) of the Subdivision By-law and Section 2.28(a) of the Land Use By-law, all lots identified in Appendix "D" of the Land Use By-law shall be eligible for subdivision approval.

- (b) adding the following Section to Part 10: R-6 (Rural Residential) Zone:

10.7 Reduced Lot Frontage: Residential and Resource Uses

Notwithstanding the lot frontage provisions of Section 10.2, where residential and resource purposes are permitted in any R-6 Zone, development permits may be issued for such uses on lots created pursuant to Section 4.31 of this By-law, provided all other requirements of this By-law are met.

- (c) adding the following Section to Part 11: R-7 (Rural Estate) Zone:

11.5 Reduced Lot Frontage: Residential and Resource Uses

Notwithstanding the lot frontage provisions of Section 11.2, where residential and resource uses are permitted in any R-7 Zone, development permits may be issued for such uses on lots created pursuant to Section 4.31 of this By-law, provided all other requirements of this By-law are met.