

David F. Barrett  
Woodlands Manager

Hugh A. Barrett  
Mill Manager

Keith H.W. Barrett  
Sales & Administrative Mgr.

## BARRETT LUMBER CO. LTD.

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

*A Family Owned and Operated Manufacturing  
Business For Over 50 Years*

*"From tree planting to finished lumber"*

August 31, 1987

Mr. G.K. Kelly,  
Municipal Clerk,  
Municipality of County of Halifax,  
P.O. Box 300  
Armdale, N.S.  
B3L 4K3

### Re Public Hearing for Districts 15 - 18 - 19

Dear Sir:

We would like our property on the Beaver Bank Rd. - Windsor Junction Cross Rd., to continue the same zoning as it presently has - R3.

As you know, there are very few locations in the Metro area where a person may put a mobile home on an individual lot. We personally feel there is room for everyone, so when we made covenants for our subdivision we put in a covenant (copy enclosed) so people could not discriminate against mobile homes on individual lots in our subdivision.

Yours truly,

*David F. Barrett*  
David F. Barrett

P.S. We would meet with your staff at any time to show the exact property.

#### MEMBER OF

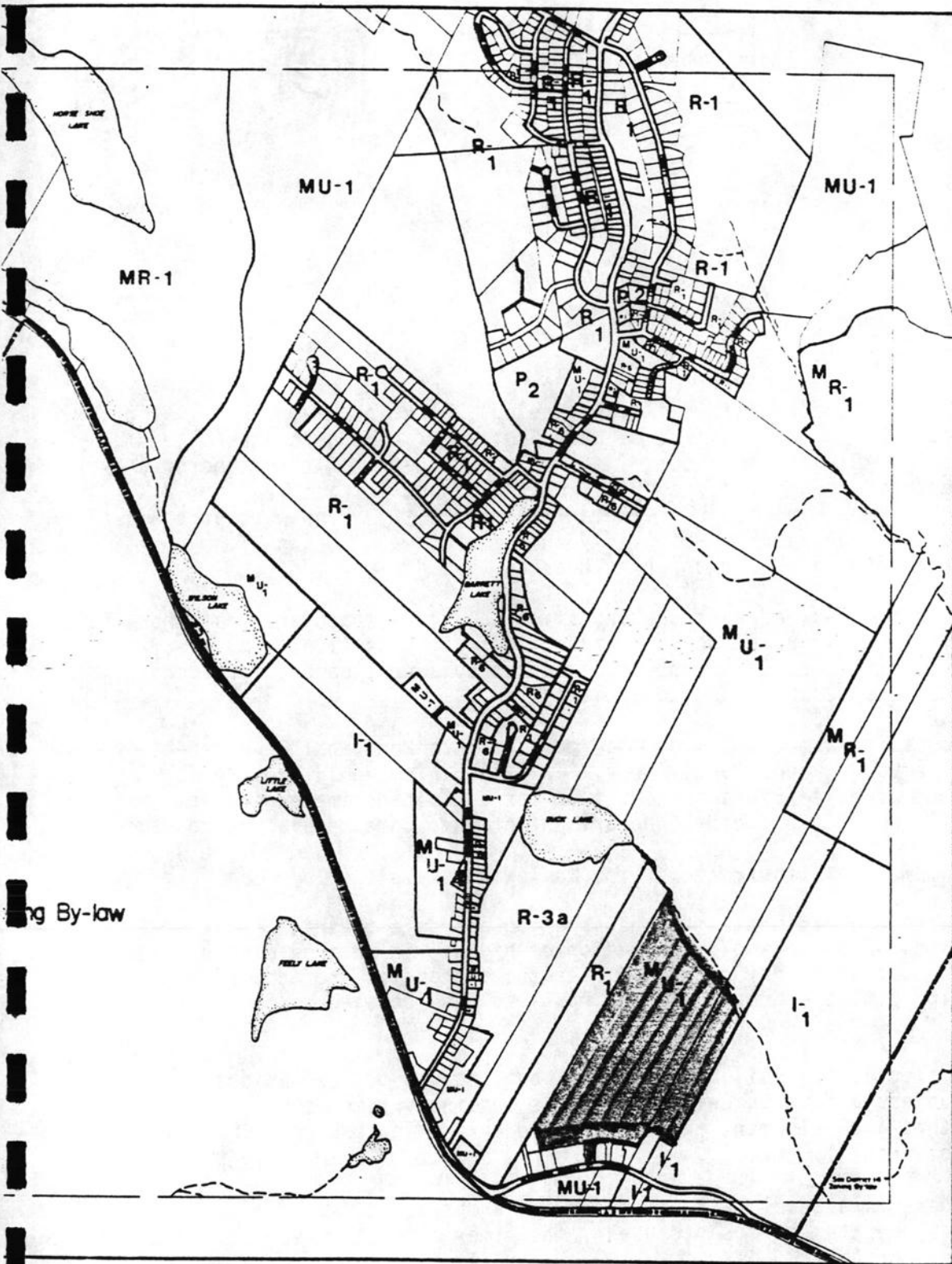
MARITIME LUMBER BUREAU (MLB)  
NOVA SCOTIA FOREST PRODUCTS ASSOCIATION (NSFPA)  
WOOD PRODUCT MANUFACTURERS ASSOCIATION OF N.S. (WPMANS)  
NOVA SCOTIA HOME BUILDERS ASSOCIATION (NSHBA)  
ATLANTIC BUILDING SUPPLY DEALERS ASSOCIATION (ABSDA)  
CANADIAN FEDERATION OF INDEPENDENT BUSINESS (C FIB)



AND THE SAID GRANTEE for \_\_\_\_\_, Heirs, Executors, Administrators and Assigns hereby covenants, promises and agrees to and with the said Grantor and his Assigns that \_\_\_\_\_ will observe and perform the following provisions:

1. The location of the well and septic tank must be located on the property in accordance with the approval and stipulations issued by the Department of Health and other appropriate Government Agencies.
2. The lands shall be used for private residential purposes only and no attached or semi-detached house, duplex or apartment, or any house designed for more than one family shall be erected on the lands, and not more than one detached dwelling house with or without attached private garage may be erected on any one lot.
3. The Grantee agrees not to raise any complaint or objection to the location or placing of any mobile home on any lot situate in the said subdivision.
4. No mobile home is to be placed on any lot in the said subdivision without the Grantor's written consent, which consent will not be unreasonably withheld.
5. The premises are to be kept in a neat and tidy condition and not in a condition as to violate any municipal or governmental regulation or rules as to unsightly premises.
6. That no excavation or dumping of material will be permitted on the lands except for the purposes of construction, landscaping or grading. The Grantee shall remove all surplus materials from the lands within a reasonable time after completion of any constructions, landscaping or grading.
7. That the building shall be positioned on the lot in accordance with the rules and regulations of the County of Halifax and Department of Highways for Nova Scotia.
8. The Grantee agrees to consent to the construction of sidewalk, pavements, curbs, sewers, watermains and any other local improvements (which may be petitioned for).
9. Provided always that notwithstanding anything herein contained the Grantor and its successors or assigns shall have power by instrument or instruments in writing from time to time to waive, alter or modify the above covenants and restrictions in their application to any lot or lots to any part thereof comprising part of the said lands without notice to the owner of any other lot on the said lands.
10. That no animals other than standard household pets shall be kept on said lots and further that no breeding of animals for sale will be carried on.

RICTS 15,18 & 19 ZONING



### Municipal Planning Strategy

SCALE 1:10 000—11D/13-S4

### UPPER SACKVILLE

Schedule 'C-4'

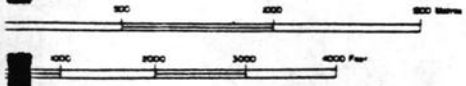
B-5	C-5	D-5
B-4		D-4
B-3	C-3	D-3



- R-1 SINGLE UNIT DWELLING ZONE
- R-2 TWO UNIT DWELLING ZONE
- RR-1 RESTRICTED RESIDENTIAL ZONE
- R-3 MOBILE DWELLING ZONE
- R-3a MOBILE HOME PARK ZONE
- R-6 RURAL RESIDENTIAL ZONE
- R-8 SPECIAL AREA ZONE
- MU-1 MIXED USE 1 ZONE
- MU-2 MIXED USE 2 ZONE
- GU-1 GENERAL USE ZONE
- C-2 GENERAL BUSINESS ZONE
- C-4 HIGHWAY COMMERCIAL ZONE
- C-6 COMMERCIAL ENTERTAINMENT ZONE
- I-1 MIXED INDUSTRIAL ZONE
- I-2 SALVAGE YARD ZONE
- I-4 SANITARY LANDFILL SITE ZONE
- MR-1 MIXED RESOURCE ZONE
- P-2 COMMUNITY FACILITY ZONE
- P-3 PROVINCIAL PARK ZONE
- P-4 CONSERVATION ZONE
- FP FLOODPLAIN ZONE

g By-law

FILE NO	ZONE CHANGE	EFFECTIVE DATE	TECH.



1. \_\_\_\_\_, Clerk of the Municipality of the County of ... has hereby certified this and attached Schedule C. Also this was recorded in the Land Use By-law for Planning Districts 15, 18 & 19 as passed in a majority vote of the Municipal Council of the Municipality of the County of ... on the \_\_\_ day of \_\_\_\_\_, 19\_\_ A.D.



# Nova Scotia Road Builders Association

P O BOX 250—ARMDALE N S  
TELEPHONE 477-1543  
B3L 4K1

September 1, 1987

**RECEIVED**  
SEP 3 1987

Warden Arthur MacKenzie  
Municipality of the County of Halifax  
P. O. Box 300  
Armdale, Halifax, N. S.  
B3L 4K3

Planning and Development

Dear Sir:

The Nova Scotia Road Builders Association represents the majority of contractors who perform Road Building, Paving, Sewer and Water Installation, and related work in the province of Nova Scotia. I have been instructed by the Board of Directors to convey to you the concerns of the membership with respect to the operation of Pits, Quarries, and Extractive Materials in relation to the Municipal Development Plans for the areas which are being developed, and more particularly in Districts 15, 18 and 21 which are presently coming up for a public hearing.

From our limited knowledge of documentation to date, it appears that there is no provision in your Plans for extractive facilities (i.e. removal of sand, gravel, fill, etc.) unless accommodated by a development agreement which takes considerable time to implement.

We are requesting a mechanism be incorporated into Municipal Development Plans for temporary construction use. This mechanism would provide for crushing and asphalt plants to be set up for a limited time period and meeting all the criteria of the Department of Environment relative to same.

The problem may be illustrated by the following example:

The Nova Scotia Department of Transportation awards a contract for the construction and/or paving of a section of highway in an area distant from an existing pit or quarry operation. If the aggregates are obtained from the existing pit, the transportation costs to the job site become a major cost item.

Suitable material is available close by, but because of regulations, cannot be used; unless a development agreement is obtained. I have been advised by staff that a development agreement could take a few months before it could become reality.

Because there is a deadline to complete the project, it is not possible to use close aggregate sources because of the time it takes to enter into a Development Agreement.

Continued .....



# Nova Scotia Road Builders Association

P.O. BOX 250—ARMDALE, N.S.  
TELEPHONE 477-1543  
B3L 4K1

Warden Arthur MacKenzie

September 1, 1987

Page 2

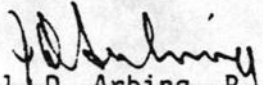
Consequently the costs of the project increase dramatically. To illustrate, assume the contract requires 50,000 tonnes of material. If the haul distance is 5 kilometres, the transportation cost is \$ 1.24 per tonne x 50,000 = \$62,000.00. If the haul distance is 50 kilometres, the transportation cost is \$ 5.64 per tonne x 50,000 = \$ 282,000.00.

These rates are based on N. S. Department of Transportation truck rates effective April 1, 1987. Assuming the total contract value is \$500,000.00 based on the 5 kilometre haul (\$720,000.00 based on the 50 kilometre haul) the increase in the total contract cost because of the additional haul is 44%.

We trust that you will consider our concerns when developing your Plans.

It is our opinion that the N. S. Department of Transportation and others share our concerns. We would be pleased to discuss this whole matter with you, at any time.

Yours truly

  
J. D. Arbing, P. Eng.  
President

NOVA SCOTIA ROAD BUILDERS ASSOCIATION

JDA/mls

cc: Valerie Spencer, Director of Planning & Development  
E. T. Wdowiak, P. Eng., Director of Engineering & Works  
R. E. Gough, Director of Development  
W. Butler, Director of Policy Planning  
J. Heffler, Chief Building Inspector

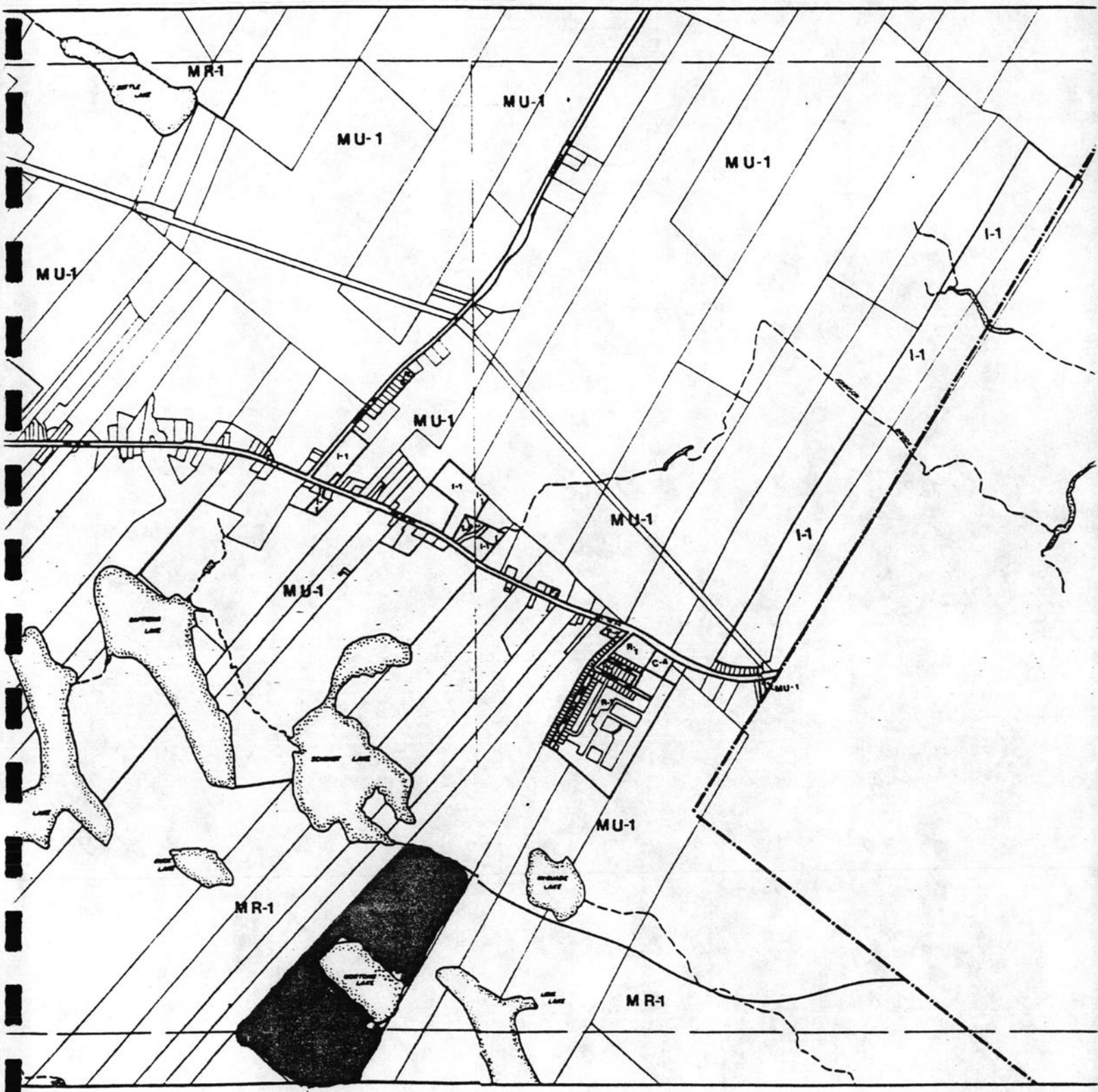
MR #1 BEDFORD  
SITE #2-6 BHA24  
SEPT 11 87

DEAR SIRS

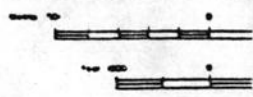
I WOULD REQUEST COUNCIL TO  
CHANGE THE PROPOSED ZONING OF  
DURLAND SHOWN ON THE MAP FROM  
MR-1 TO MD-1

APPRECIATE  
YOUR CONSIDERATION

*W. Layton Eisenhower*



1. \_\_\_\_\_, Clerk of the Municipality  
 attests that the above described zoning map was duly adopted by the  
 Council of the Municipality of the County of Halifax on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
 MUNICIPALITY OF THE COUNTY OF HALIFAX  
 DEPARTMENT OF PLANNING AND DEVELOPMENT  
 ZONING DIVISION



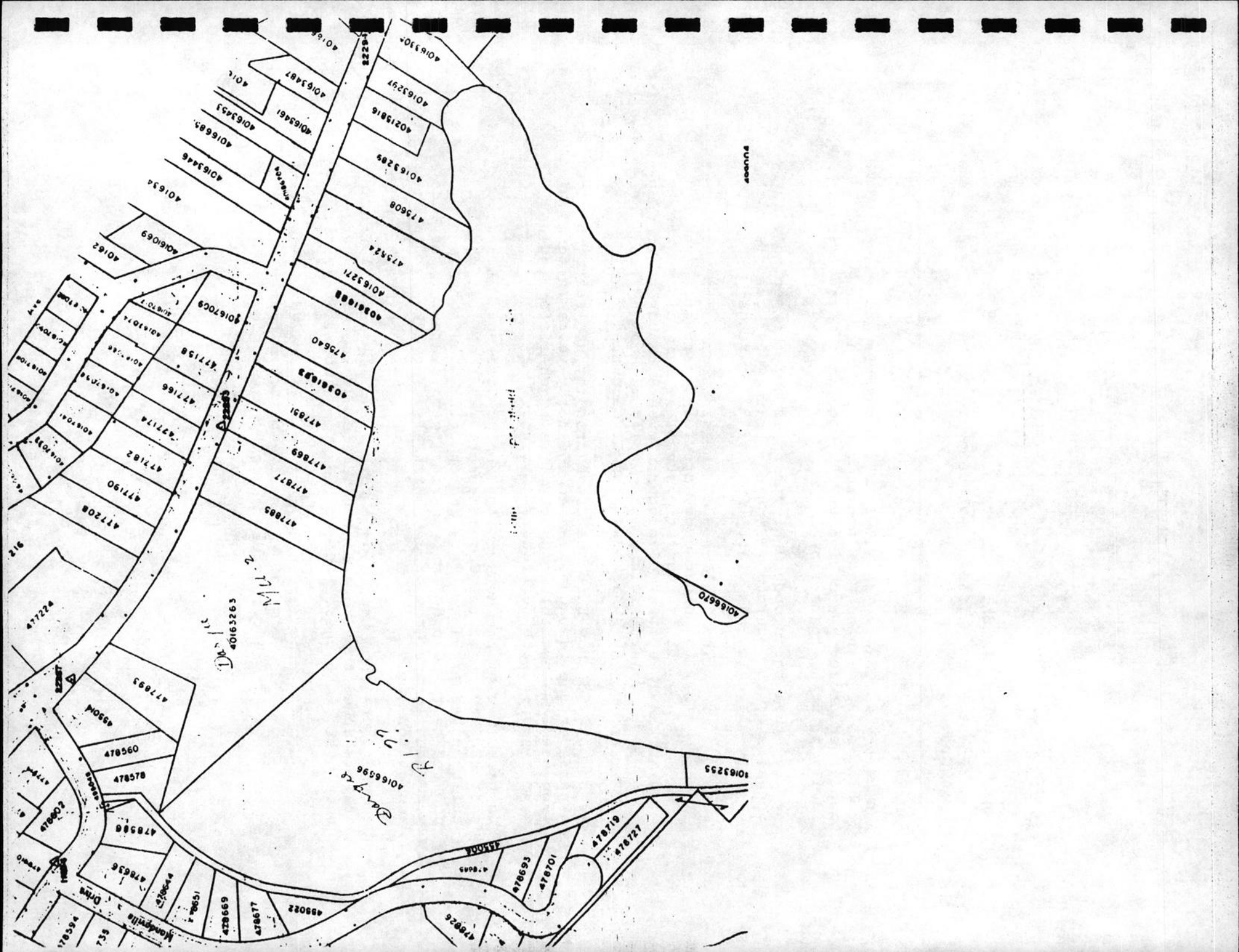


27 First Ave  
Bedford, N.S.  
Sept. 12/57

Dear Mr. Kelly:

I am strongly opposing the rezoning of a portion of my lands, designated 40166696, located in District 19, Upper Soekville - which is an extension of 40163263 - purchased as one parcel in 1969. Since, that time, and until now the complete parcel was zoned general; which I understand now is similar to MU-2. Apparently now, there is a proposal to rezone one portion (40166696) to R1? My request is that it remain MU-2 or at the very least R6 since I wish to have the option, down the line, to create multiple-housing, duplexes or even something in the boundaries allowed by MU-2.

Further, I understand, there is a possibility of an extension of a trailer court proposal - which is just a few hundred feet across



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September 14, 1987

Mr. G. J. Kelly  
Clerk of the Municipality of the County of Halifax

Re: Proposed R1 zoning of property in District 15 -  
Property on Mayflower Avenue owned by Maynard and Frieda  
Grove

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We hereby would like to submit our opposition to the proposed zoning of R1 with non-comforming use, for the above mentioned property occupied by The Woodlands Press ( small family printing operation ).

We feel that the proposed R1 zoning is not in keeping with the aims of the Municipal Planning Strategy for our district. On page eleven of the draft (Feb. 5/87) it reads:

The challenge of the strategy is to respond to both groups, providing protection where it is required as well as maintaining the ability of property owners to use their properties in a more varied manner in areas where this has traditionally occurred.

We propose to show that the Grove property has sustained its' owners for the last one hundred and forty years in terms of land use. To put this property into a non-comforming use clause jeopardizes our future existence.

On page five of the Municipal Planning Strategy, it reads that the Church of the Good Shepherd was the first church built in Beaver Bank. This church still stands on land donated by the Grove family. Prior to this, church services were held in the Grove house which also served as a finishing school for girls.

In the Journal of Education ( Vol. 7, No 1, Jan/81 ), in an article about the Grove family written by Robert P. Harvey, then history teacher at Sackville High School, it reads:

The remaining sisters moved to Beaver Bank, a community some twenty miles from Halifax, where the Grove brothers had bought a large

tract of land in 1847. They called their property, " Woodlands " after their maternal grandfather's English estate. Here a variety of activities were carried on: farming, saw milling, box making and brick making. To these industries was now added a young ladies finishing school, as the three sisters set up housekeeping with their bachelor brother, James. The school, thus transformed to a rural setting, continued into the early 1890's.

As Mr. Harvey's research attests to, the Grove property, has through the years, provided the family with a livelihood in many a varied fashion.

We first opened our business, The Woodlands Press, in the winter of 1976, when the property was still zoned general. In 1977, we found ourselves in a R2 zone. Our request for an exemption was denied.

In 1986 we attended a planning strategy meeting. The PPC suggested to us that a MU zone might best meet our needs. We readily agreed.

Presently, the PPC is recommending a R1 zone with non-conforming use for our land. We see this move as an effort to destroy 140 years of family enterprise, rendering this property useless for the purpose of providing the Grove family with a livelihood.

We do not intend to have our future manipulated by transient land speculators.

We see, that you, the council, have an obligation before you to honour the commitment made by the PPC in their planning strategy, "...the ability of property owners to use their property in a more varied manner in areas where this has traditionally occurred."

Thank you.

*J. M. Grove*  
*J. Grove*

PUBLIC HEARING

SEPTEMBER 28, 1987

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

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

SECRETARY: Mrs. M. R. Murphy

-----  
Warden MacKenzie called the Hearing to order at 7:05 p.m. with the Lord's Prayer.

Mr. Kelly called the Roll.

The Warden said the purpose of the Public Hearing was to consider applications for re-zoning of property and called upon staff member Joan MacKinnon, Senior Planner, to present the applications.

APPLICATION NO. RA-SA-13-87-19

An application has been submitted by Brian MacLean to rezone 10 Beaver Bank Cross Road from an R-1 zone to a P-2 community facility zone. The applicant's intention is to convert an existing dwelling unit to a day-care facility to accommodate approximately 21 children. The R-1 zone permits Day Care facilities for up to 14 children, as a home business, but greater numbers of children can only be accommodated by a re-zoning to a P-2 zone. The applicant stated his intention of developing a Day-Care facility is consistent with a number of criteria for re-zoning that are identified in the Municipal Planning Strategy. The lot is well located relative to serving the needs of the local population. Department of Transportation has commented favourably on

stopping sight distances for the lot, under the Sackville Land Use By-Law, the applicant would be required to provide 4 parking spaces and the lot is big enough to provide adequate parking spaces and an outdoor play area. It also has additional area to provide for additional parking spaces, if they became necessary. Based on these reasons, staff recommended that this application be approved.

Upon question from Councillor DeRoche, Ms. MacKinnon explained that the location of the house, shown in Figure 1, which shows the house as being about half-way onto the Beaverbank Cross Road is in fact on the right-of-way claimed by the Department of Transportation, as over the years they have acquired more land.

Councillor MacKay asked Joan to explain the square footage requirements for day-care centres, based on number of children. Joan explained that the Provincial Department of Social Services regulates Day Care Facilities and in order to get a license from the province, the Day Care must meet certain requirements.

Councillor MacDonald asked if this would be the residence of the owners. Joan replied that this would not be a residence, but strictly a business location.

There was no one in the Gallery wishing to speak in favour or in opposition of this application.

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

"THAT Council approve amending the Sackville Land Use By-Law by rezoning Lot A of the lands of the Estate of Winnifred Elizabeth Baker, located at 10 Beaver Bank Cross Road, Lower Sackville, from an R-1 (Single Unit Dwelling) Zone to a P-2 (Community Facility) zone."

MOTION CARRIED

APPLICATION NO. RA-SA-14-87-16

Joan MacKinnon reviewed this application stating that Mr. Mehrdad Erfani has requested the rezoning of 190 Cobequid Road, Lot 1, from an R-2 (Two-Unit Dwelling) Zone to a C-1 (Local Commercial Zone). The purpose of his request is to permit the operation of a video and audio equipment repair service from the basement of an existing dwelling on the lot. Access would be from the Cobequid Road. Mr. Erfani's property meets the criteria of the Municipal Planning Strategy for Sackville for rezoning for this type of use. There is a local market for this type of service and, in addition, a mixture of land uses that is found along the Cobequid Road, including residential uses, commercial uses, the Sackville Industrial Park and the Halifax County Correctional Centre, mean the repair shop in the basement of the dwelling would not be incompatible with the land uses found in the surrounding area. In addition, because it is on the Cobequid Road, no additional traffic would be generated on local streets from this particular operation. Staff is recommending approval of this application.

Councillor MacKay asked for a list of permitted uses in a C-1 zone. The list included: single unit dwellings, variety stores, food stores, service and personal service shops.

Councillor DeRoche asked if this application would be coming forward possibly to legitimize a business that is already in place. Ms. MacKinnon replied that to the best of her knowledge it is a residence with 300 sq.ft. of the home being used for repair, which is permitted under the R-2 zone in Sackville. Councillor DeRoche said that it is possible that it is an existing business which the owner wishes to expand.

Councillor MacKay advised that this home had only changed hands recently.

No one in the Gallery wished to speak either in favour or in opposition to the application.

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

"THAT Application No. RA-SA-14-87-16 be rejected."  
MOTION CARRIED

Councillor MacKay stated that the reason he is not in favour of the application is that at Municipal Planning Strategy meetings and subsequent meetings, there had been very strong opposition by the residents in this area of any further commercial development up the Cobequid Road. If rezoning is approved, it allows other uses like food stores, etc., but the owner can operate by right a small business in his own home, with the R-2 zoning.

Councillor DeRoche asked for clarification of the history of the zoning on this lot, to which Councillor MacKay responded.

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

"THAT this Public Hearing be adjourned."  
MOTION CARRIED

M E M O R A N D U M

TO: Warden MacKenzie & Members of Council  
FROM: Joan MacKinnon, Senior Planner, Policy Division  
RE: PUBLIC HEARINGS  
DATE: September 28, 1987

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FILE NO: RA-SA-13-87-19 - REZONING OF 10 BEAVER BANK CROSS ROAD FROM R-1  
(SINGLE UNIT DWELLING) ZONE TO P-2 (COMMUNITY FACILITY) ZONE.

(Majority vote of Councillors present.)

FILE NO: RA-SA-14-87-16 - REZONING OF 190 COBEQUID ROAD, FROM R-2 (TWO UNIT  
DWELLING) ZONE TO C-1 (LOCAL BUSINESS) ZONE.

(Majority vote of Councillors present.)



TO: Planning Advisory Committee  
 FROM: Dept. of Planning & Development  
 DATE: August 5, 1987  
 APPLICATION NO. RA-SA-13-87-19

*[Handwritten Signature]*  
 CAO  
 DIRECTOR, PLANNING & DEVELOPMENT

RECOMMENDATION:

THAT THE REQUEST TO AMEND THE SACKVILLE LAND USE BY-LAW BY REZONING LOT A OF THE LANDS OF THE ESTATE OF WINNIFRED ELIZABETH BAKER, LOCATED AT 10 BEAVER BANK CROSS ROAD, LOWER SACKVILLE, FROM AN R-1 (SINGLE UNIT DWELLING) ZONE TO A P-2 (COMMUNITY FACILITY) ZONE BE APPROVED BY MUNICIPAL COUNCIL.

Information

An application has been submitted by Brian MacLean to rezone a lot identified in Map 3 (p.4) from an R-1 (Single Unit Dwelling) Zone to a P-2 (Community Facility) Zone. A single unit dwelling is presently located on the lot.

The applicant has stated his intention of converting the existing dwelling to a day care facility accommodating approximately 21 children.

Description

MPS: Sackville  
 Area: 9,559 square feet  
 Dimensions: See Map 3 (p.4)  
 Features: Single unit dwelling partially located in road right-of-way. Fenced yard to rear of dwelling. Remainder of lot cleared and level.  
 Surrounding Uses and Zoning: See Map 3 (p.4)

Analysis

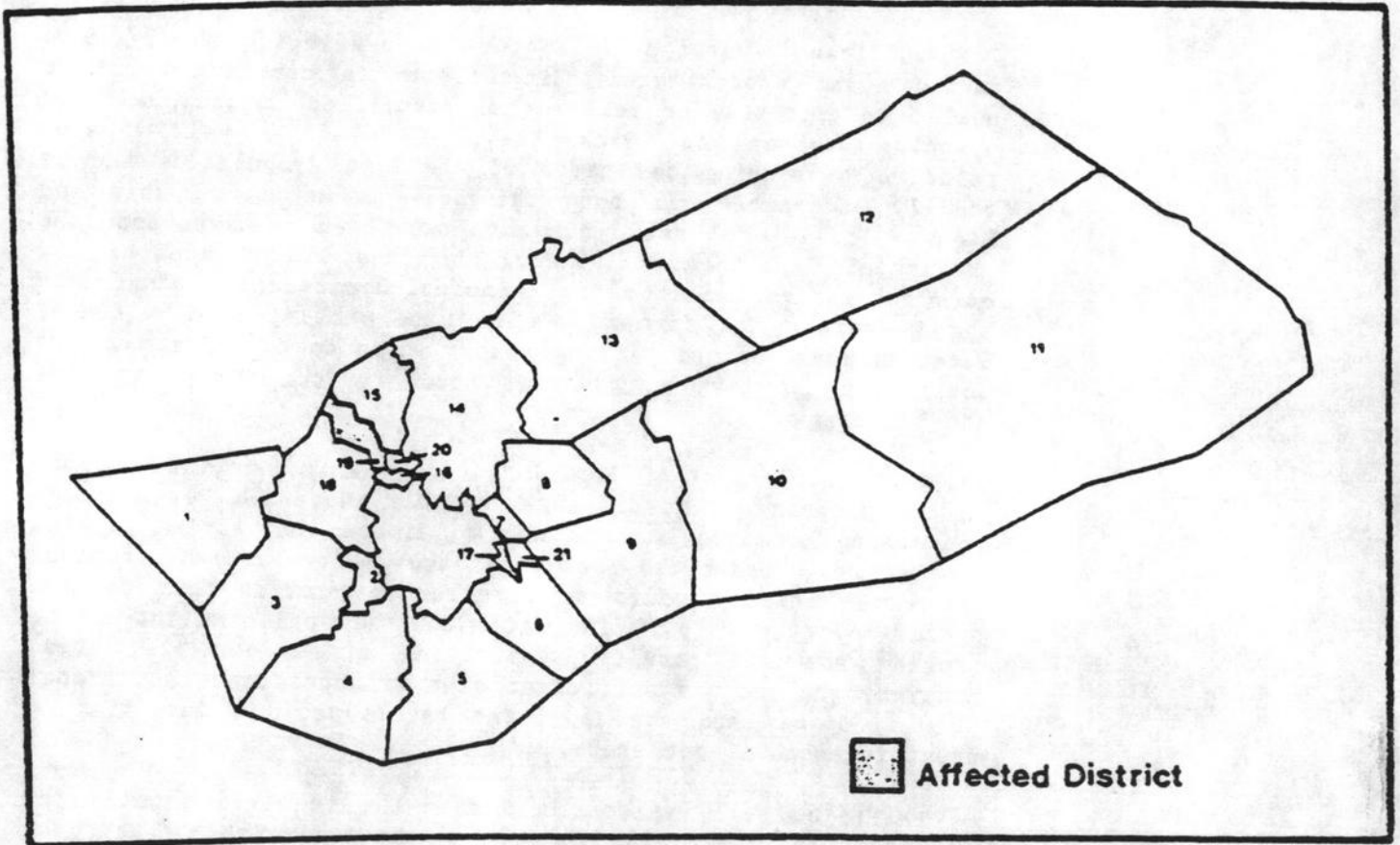
The lot is located within the Urban Residential Designation. The intent of this designation is to protect the residential environment of the community while allowing for other uses such as day care facilities which are compatible with continuing residential development. The R-1 Zone permits day care facilities for up to 14 children as a home business but a greater number of children can only be accommodated through rezoning.

The applicant's stated intention of developing a day care facility for approximately 21 children is consistent with a number of criteria for rezoning as identified in the municipal planning strategy for Sackville. The lot is well located relative to serving the needs of the local population and is readily accessible via both the Beaver Bank Cross Road and Highway No. 1. Favorable comments have been received from the provincial Department of Social Services which licenses day care facilities and from the municipal Department of Engineering & Works. The former requires the provision of a fenced outdoor play area and parking spaces which do not create unsafe conditions nor have an adverse visual impact on the front of the building.

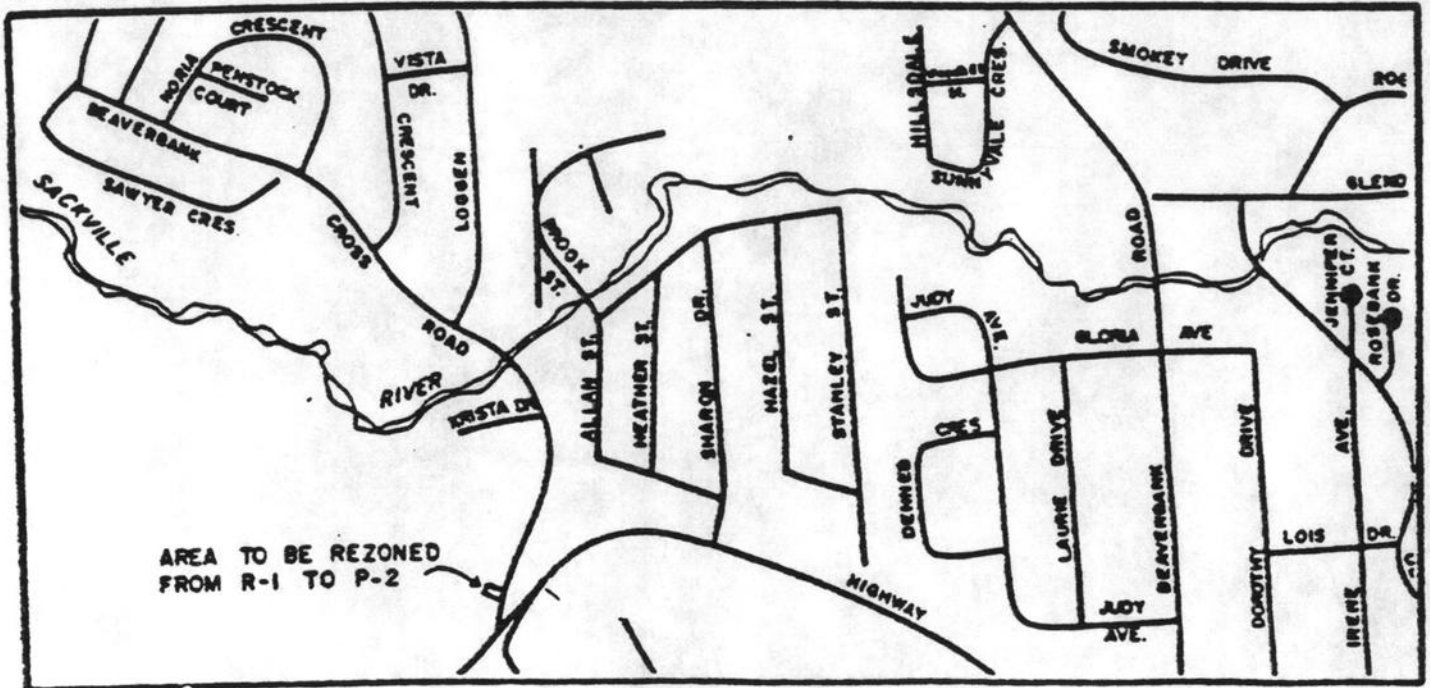
While the Department of Transportation has commented favourably on the stopping sight distance, it has expressed reservations concerning possible hazards due to limited off-street parking in the area. Under the Sackville land use by-law, the proposed day care facility would be required to provide four parking spaces. Figure 1 (p 5) indicates how the applicant intends to provide adequate parking spaces and an outdoor play area. However, the lot has sufficient area to accommodate additional parking spaces and the applicant has stated his intention of providing more if necessary.

Although the building does not have the required front yard, and is in fact partially located on the road right-of-way, the Department of Transportation has not indicated any concerns with this situation.

MAP 1



MAP 2



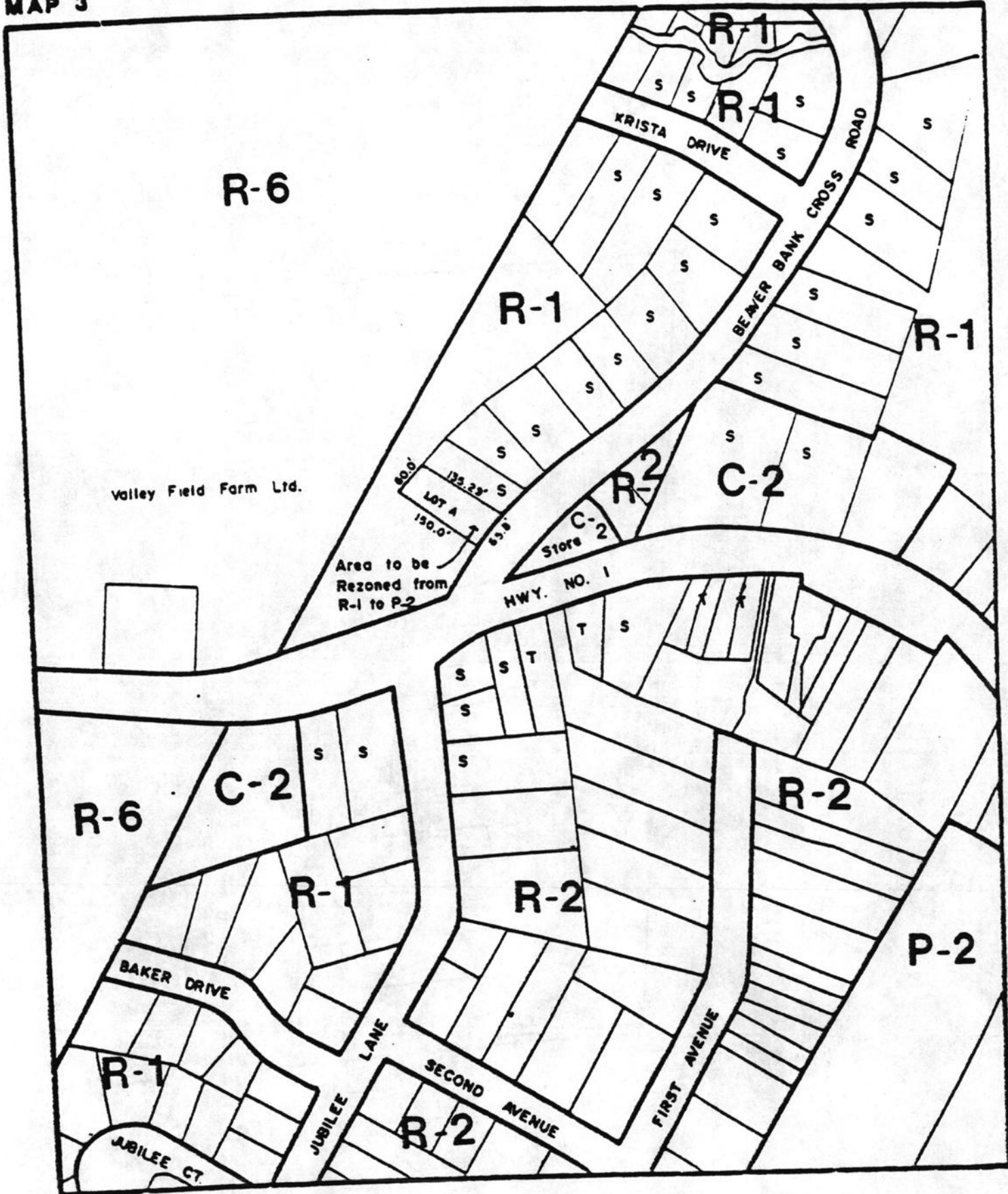
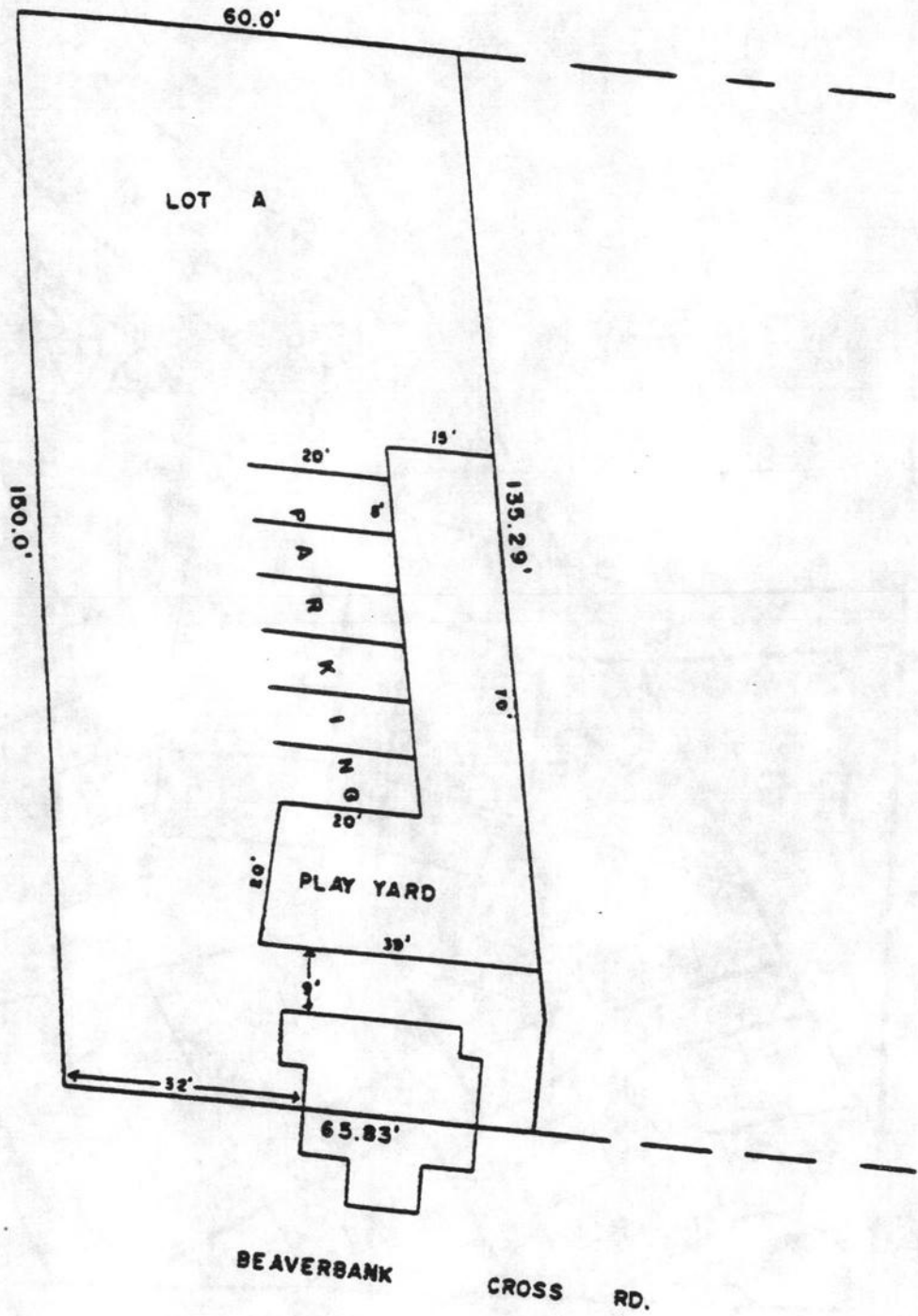


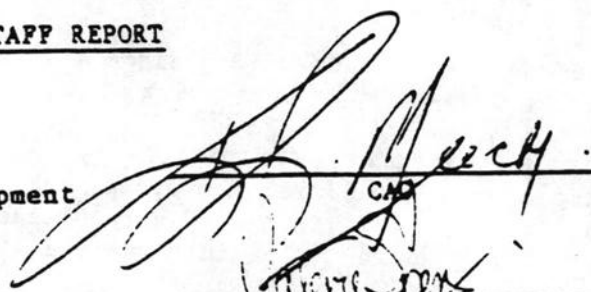
FIGURE 1.



D25

STAFF REPORT

TO: Planning Advisory Committee  
FROM: Dept. of Planning and Development  
APPLICATION NO. RA-SA-14-87-16  
DATE: August 10, 1987

  
\_\_\_\_\_  
DIRECTOR, PLANNING & DEVELOPMENT

RECOMMENDATION:

THAT THE REZONING OF 190 COBEQUID ROAD, LOT 1 OF SUBDIVISION OF LANDS OF K.R. AINSLIE ANIMAL HOSPITALS LTD., LOWER SACKVILLE, FROM R-2 (TWO UNIT DWELLING) ZONE TO C-1 (LOCAL BUSINESS) ZONE BE APPROVED BY MUNICIPAL COUNCIL.

Information:

An application has been submitted by Mr. Mehrdad Erfani to rezone 190 Cobequid Road (Map 3, p.4) from R-2 (Two Unit Dwelling) Zone to C-1 (Local Commercial) Zone. The purpose of the request is to permit the operation of a video/audio equipment repair service from the basement of an existing dwelling on the lot. Access would be on the Cobequid Road.

Description:

MPS: Sackville  
Lot Area: 10,289 sq. ft.  
Dimensions: As illustrated by Map 3 (p.4)  
Features: Occupied by an approximately 1,000 square foot dwelling

ANALYSIS:

The municipal planning strategy for Sackville designates this property as "Urban Residential", within which priority is given to residential development. Recognition is also given to the need for local commercial uses which will serve surrounding residential areas. Therefore, service shops such as a television repair type business may be considered by amendment to the land use by-law (Policy P-34).

Mr. Erfani's property meets the criteria of the municipal planning strategy for Sackville for rezoning for this type of use. In the first instance, although Cobequid Road has a mixture of land uses, there is a large neighbourhood behind the site composed of single and two-unit dwellings. It is assumed that most of these houses have

some form of video/audio equipment within them and therefore there is a local market for the type of service that will be offered.

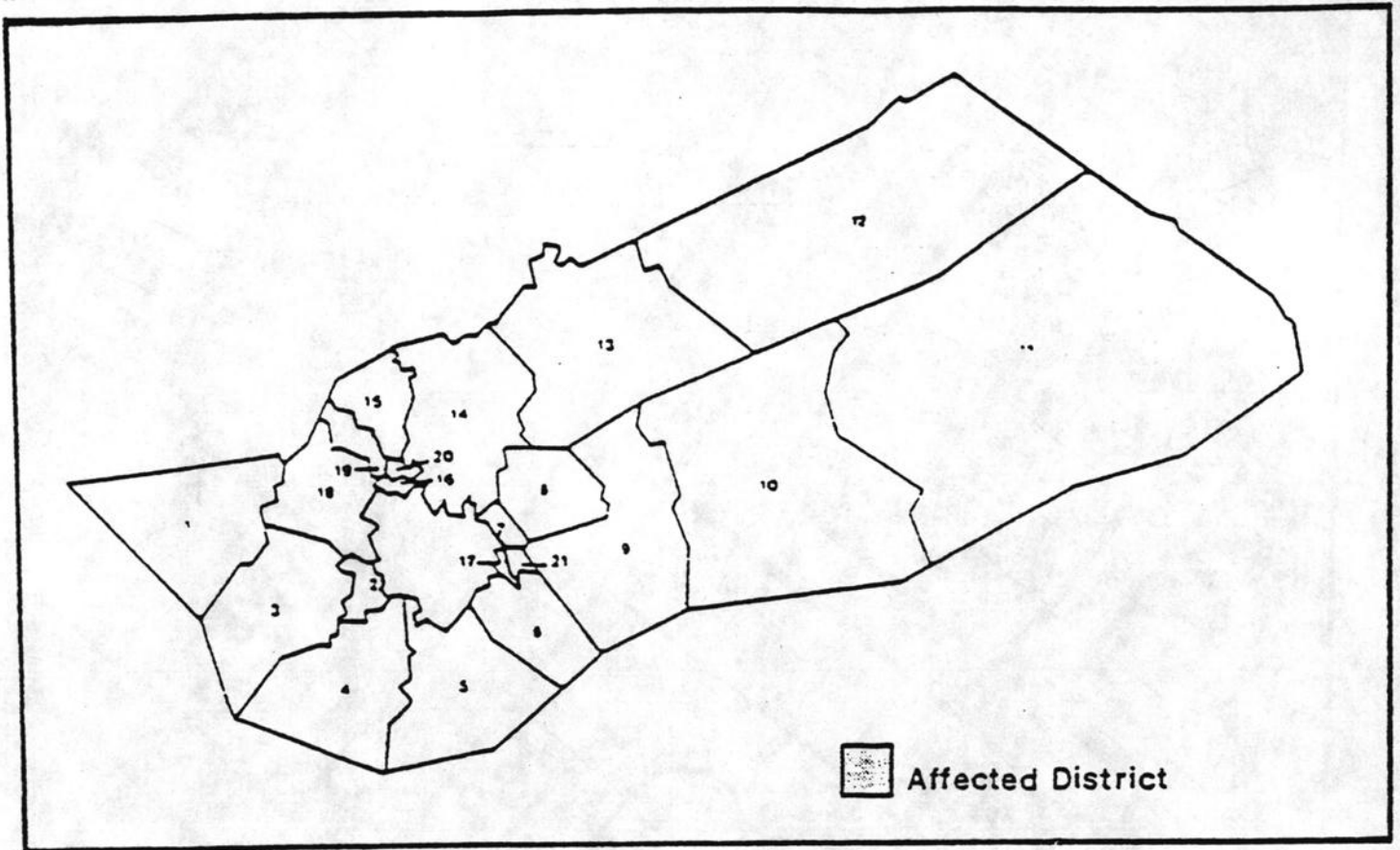
At the same time, the mixture of land uses on the Coequad Road, including single unit dwellings, commercial uses, the Sackville Industrial Park and the Halifax County Correction Centre, means that a repair shop in the basement of a dwelling would not be incompatible with land uses in the immediate area.

Provisions within the C-1 (Local Commercial) Zone would also work to offer protection to surrounding properties, in that no open storage or display is permitted, and no parking within required side or rear yards without fencing would be allowed.

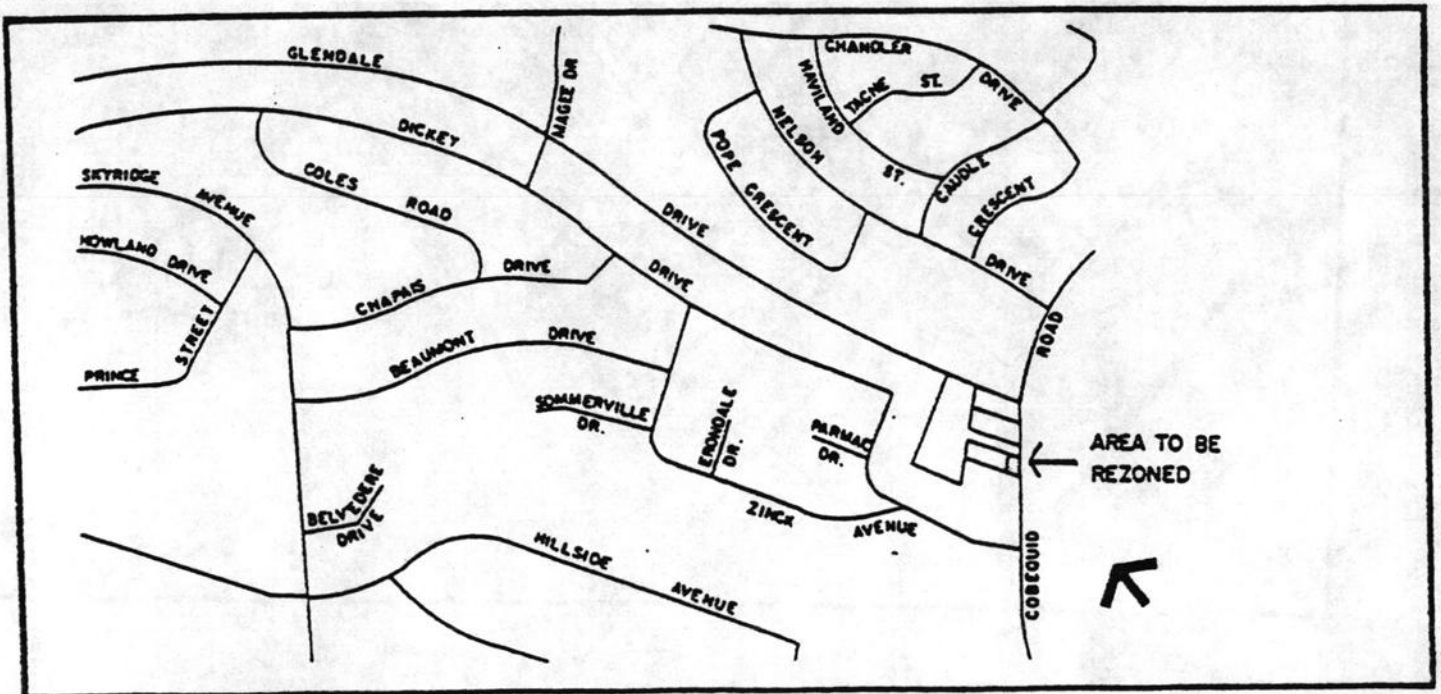
The Department of Transportation has reviewed this proposal and has no objections to it. Further, the location of the property on the corner of a cul de sac means that no additional traffic will be generated on local streets as could be the case if the use was located on a local through street.

Based on the above noted factors, it is recommended that this application be approved by Municipal Council.

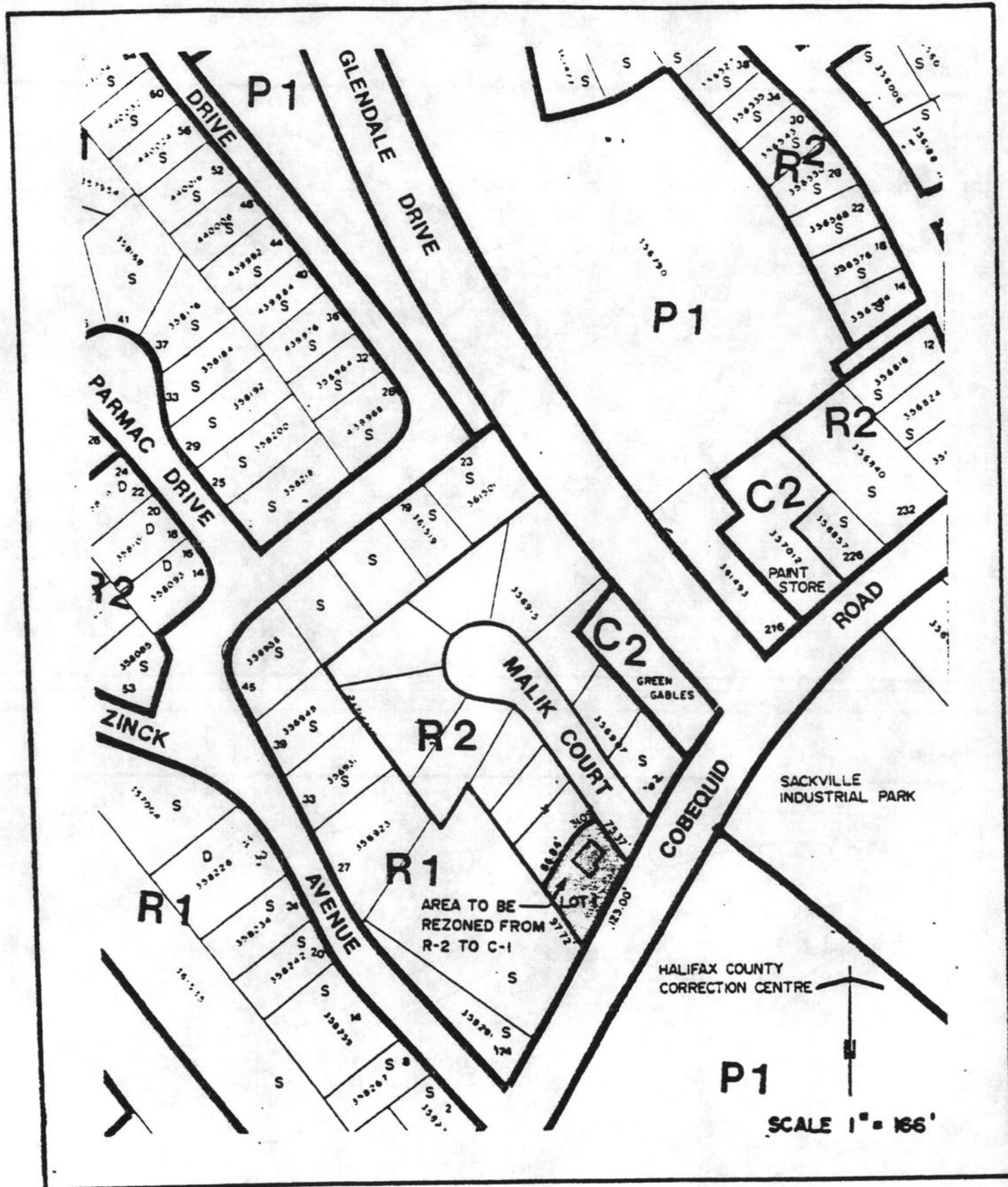
MAP 1



MAP 2







MINUTES & REPORTS  
OF THE  
SECOND YEAR MEETINGS  
OF THE  
FORTY - SECOND COUNCIL  
OF THE  
MUNICIPALITY OF THE COUNTY OF HALIFAX  
OCTOBER COUNCIL SESSION  
TUESDAY, OCTOBER 6 AND 20, 1987  
&  
PUBLIC HEARING  
OCTOBER 26, 1987  
AND  
COMMITTEE OF THE WHOLE  
OCTOBER 29, 1987

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COUNCIL SESSION

OCTOBER 6, 1987

PRESENT:           Warden MacKenzie  
                  Councillor Rawding  
                  Councillor Fralick  
                  Councillor P. Baker  
                  Councillor C. Baker  
                  Councillor Deveaux  
                  Councillor Deroche  
                  Councillor Adams  
                  Councillor Randall  
                  Councillor Bayers  
                  Councillor Reid  
                  Councillor Merrigan  
                  Councillor MacKay  
                  Councillor McInroy  
                  Councillor Eisenhower  
                  Councillor MacDonald  
                  Councillor Wiseman  
                  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:       Mrs. M. R. Murphy

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

Mr. Kelly called the roll.

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

"THAT Margo Murphy be appointed Recording Secretary."

MOTION CARRIED.

APPROVAL OF MINUTES

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

"THAT the Minutes of the Committee of the Whole meeting of August 19, 1987, be approved as circulated."

MOTION CARRIED

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

"THAT the Minutes of the Council Session of September 1, 1987, be approved as circulated."  
MOTION CARRIED

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

"THAT the Minutes of the Council Session of September 15, 1987, be approved as circulated."  
MOTION CARRIED

EMERGENCY AGENDA ITEMS

Councillor MacDonald requested that three items be considered:

- 1) Petition regarding Barking Dogs
- 2) Beaver Bank Connector
- 3) Sidewalks

Councillor Wiseman asked that the following item be considered:

- 1) Non-Returnable Bottles and Cans

Councillor Colin Baker requested that the following item be considered:

- 1) C.R.T.C.

Councillor Rawding requested the following item be considered:

- 1) Transportation

CORRESPONDENCE

Mr. Kelly presented the following items of correspondence:

Department of Housing - September 1, 1987

This letter was from the Honourable M. C. Pickings, Minister of Housing and dealt with the identification of existing senior citizens' housing projects in Halifax County and the request for senior citizens' housing for Districts 3 and 4.

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

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

Department of Transportation - September 21, 1987

This letter was from the Honourable Guy J. LeBlanc, Minister of Transportation and dealt with the request for the department to review the 70 kmh speed zone on the Conrod Settlement Road in Head of Chezzetcook.

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

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

Councillor Randall commented that residents in the area were not satisfied with Transportation's decision to keep the speed limit at 70 kmh and noted that the letter to the Minister did not state that the petition represented 100% of the residents of the area, with the exception of one person who couldn't be reached. He wanted this point clarified with the Minister. Councillor P. Baker stated his dissatisfaction with the Department of Transportation, saying that he felt they did not adequately address our requests.

Minister of Fisheries and Oceans - September 14, 1987

This letter dealt with our request for dredging and repairs to government wharves in the Eastern Shore area of Halifax County.

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

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

Royal Canadian Mounted Police - September 14, 1987

This letter dealt with the County's offer to provide new accommodations for the Lower Sackville Detachment of the RCMP.

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

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

Councillor MacKay stated that when we sent the second request he thought these services could be accommodated in one facility and it would lower the overhead, and he thought it was prudent to save taxpayers' money. Also, looking down the road, the facility would be available for a police force if Sackville gets municipal status, and then the RCMP wouldn't be burdened with a facility.

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

"THAT a letter be written to C/Supt. C.J. Reid, Commanding "H" Division of the RCMP, stating that our municipality favourably considers their proposal and asking him to proceed."  
MOTION CARRIED.

Halifax Regional Library - September 21, 1987

This letter was from Mary Gilliss, Secretary, and outlined their concern that the Federal Department of Communications is reviewing its postal subsidies to libraries and publishers. The letter requested Council's support in having these subsidies retained.

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

"THAT Council support the Regional Library's request by writing to appropriate departments to ask for retention of the library and publisher's subsidies by the Department of Communications."  
MOTION CARRIED

Human Rights Commission - September 3, 1987

This letter was regarding the lack of a sidewalk along the stretch of roadway from St. Andrew's Church to Oceanlea Drive.

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

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

Councillor Deveaux advised that a group of people from the Shore Road would be coming in and requested that they be permitted to speak on this matter later in the meeting. Council agreed to this request.

Residents of Meadowland Estates - September 9, 1987

This letter referred to the burning of waste at the Hefler Lumber Mill.

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

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

Councillor MacDonald advised that with regard to this problem, Mr. Hefler is planning to close down this particular unit by Christmas.

Councillor MacKay commented that the whole concept of residential development encroaching upon existing business bothers him. He said he thinks that when a business is already in operation, it has a right to continue that operation, and that people have to realize that if they buy or build a house next to a business they have to live with it. Councillor MacKay also said that he thought when we are looking at our Municipal Planning Strategy, there has to be some kind of protection put in place for business.



Warden MacKenzie expressed his concern over the fact that we have an Industrial Park in the Musquodoboit Valley and as yet there is no Municipal Development Plan in place. He said he thought problems will be encountered here because there is a residential development taking place right up to the boundaries of the park.

PLANNING ADVISORY COMMITTEE REPORT

1. Sight Distance Problems with Driveway Approvals by Department of Transportation

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

"THAT Council ask that the Department of Transportation not require access approvals for single family homes and duplexes, but that the Department of Transportation still be involved with the culvert and other construction work as it is at present."

MOTION CARRIED

2. Application No. RA-SA-17-87-16  
Rezone 30 Skyridge Avenue, Lr. Sackville

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

"THAT Council schedule a Public Hearing for November 9, 1987, at 7:00 p.m. to consider the rezoning of 30 Skyridge Avenue, Lower Sackville, from R-1 to R-2."

MOTION CARRIED.

3. Rezone Crimson Drive, Lower Sackville

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

"THAT Council schedule a Public Hearing on November 9, 1987, at 7:00 p.m., to consider rezoning Lots 224 to 238 inclusive, at Crimson Drive, Sackville from R-3 to R1."

MOTION CARRIED

Councillor DeRoche advised that this request was in fact a resolution to a situation which probably should have been addressed some time ago. A rezoning application was heard by Council a couple of years ago and Council rezoned to R3 and the R3 does permit R1, but Councillor DeRoche pointed out that all the development in that area is all single family residential and the residents want to ensure that they have protection of that zoning. This originated from staff as a result of a request from PAC.

It was pointed out that a permit has been issued for the placement of a mobile home on one of these lots and that this permit would remain in effect even if the zoning is changed, up until the date the permit expires.

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

"THAT Council waive the advertising fees on behalf of this application."  
MOTION CARRIED

4. Staff Report re Municipal Planning Strategy Review

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

"THAT Council schedule a Committee of the Whole Meeting on Thursday, October 29, 1987, at 7:00 p.m. to review the Staff Report regarding the Municipal Planning Strategy Review."  
MOTION CARRIED

5. Proposed Amendment to Forest Hills P.U.D. Town Centre - Stage 4

Deputy Warden Mont advised that since the report of the Planning Advisory Committee had been prepared, negotiations with Montebello Developments Limited have resulted in some changes in their proposal, as follows:

- 1) There will be no townhouses.
- 2) Montebello will convey the bottom portion of land to the County, comprising 2.7 acres, and we will purchase one additional acre of parkland from them, for a total of 5.7 acres of parkland.
- 3) They will seek a minor variance only for 19 semi-detached lots.

Deputy Warden Mont said that he felt these changes were in the best interests of residents and thought it would satisfy most of their concerns.

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

"THAT the Planning Advisory Committee recommendation (as outlined in the Supplementary Report of the Planning Advisory Committee dated October 6, 1987) be adopted with the amendments in accordance with the provisions outlined by Deputy Warden Mont."  
MOTION CARRIED

The Warden read a letter which he received from the Forest Hills Residents' Association in regard to the recommendation of PAC in this matter, and requested an opportunity to address Council in this respect. It was also noted that a petition has been signed by a number of concerned ratepayers in support of a Public Hearing.

Request for Grants

a) District Capital Grant - District 17

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

"THAT Council approve a District Capital Grant, District 17, in the amount of \$1,692 for fencing walkways."

MOTION CARRIED

b) District Capital Grant - District 10

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

"THAT Council approve a District Capital Grant, District 10, in the amount of \$1,396 for a crosswalk sign."

MOTION CARRIED

c) District Capital Grant, District 11

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

"THAT Council approve a District Capital Grant, District 11, in the amount of \$2,000 for extension of the ballfield at Ecum Secum."

MOTION CARRIED

d) District Parkland Grant, District 4

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

"THAT Council approve a District Parkland Grant, District 4, in the amount of \$1,728.01, for playground equipment, Terence Bay Elementary School."

MOTION CARRIED

Request for Loan - Sackville Lions' Club

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

"THAT Council approve a loan to the Sackville Lions' Club in the amount of \$25,000, to be repaid over a period of ten (10) years with principal and interest, with Council reserving the right to levy an area rate in default of principal and/or interest repayment."

MOTION CARRIED

Councillor MacDonald said that on behalf of the Lions Club of Sackville, he wished to thank the County for their approval of this loan.

By-Law Amendment

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

"THAT Council approve an amendment to By-Law #42, a By-Law Respecting Blasting and Dangerous Materials, to include District #2 in the By-Law."

MOTION CARRIED

Councillor Rawding asked that copies of this amended By-Law be sent to the Armoyan Group, Stan Havill, Montebello Developments and the other local contractors. The Warden advised that the Minister of Municipal Affairs must endorse this amendment before it becomes law, after which time we will be in a position to circulate it to local developers.

Abandonment of Easement - E-W Carlisle and Sherwood St., Cole Harbour

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

"THAT Council approve a resolution for abandonment of easement E-W, Carlisle Drive and Sherwood St., Cole Harbour."

MOTION CARRIED

Accounting Department Personnel

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

"THAT Council approve a new position, "General Accountant" to assume the responsibilities outlined in the job description and organization chart of the Accounting Department; and, THAT the auditors for the District School Board be asked to examine the purchasing policy and procedures, with consideration being given to the pros and cons of a centralized purchasing function, as opposed to a decentralized purchasing function, and report back to Council within three months with results and recommendations."

MOTION CARRIED

Councillor Rawding asked Mr. Wilson if these changes in the Accounting Department would have a positive impact on the problems relating to tax collecting in his department. Mr. Wilson said that since these were two different divisions of the Accounting Department, there would be no impact at all with regard to collecting taxes.

Request for Tax Exemption - Atlantic Canada Aviation Museum

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

"THAT Council approve an amendment to the Tax Exemption By-Law to include the Atlantic Canada Aviation Museum in Schedule "A" of the By-Law."

MOTION CARRIED