

necessary, certainly it is preferred to have them within public rights-of-way. A relocation of the waterline for Texaco would actually make the Texaco right-of-way a public street. Certainly that would leave our existing force main and pressure main, as well as the twinning that will be undertaken in a phased period over the next two to three years, to be located within a Dept. of Transportation Right-of-Way, and he thought that would be an advantage.

Councillor McInroy said that the acreage is there to be able us to include 17.6 acres of Oknah, and if it were developed as outlined, with respect to the Texaco right-of-way, it would be of benefit to the Municipality to have those lands included in the Serviceable Boundary.

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

"THAT Schedule "E" to the Cole Harbour/Westphal Serviceable Area Plan be amended to incorporate changes to the Serviceable Area, as approved by Council."
MOTION CARRIED

SPECIAL MEETING OF COUNCIL

It was decided that Council would hold a Special In-Camera Session at 5:00 p.m. on November 30th.

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

"THAT this meeting adjourn."

The Warden adjourned the meeting at 9:00 p.m.

Oknah Realty Limited

November 18, 1987

Councillor H. McInroy &
Councillor E. Deveau
County of Halifax

Dear Councillors:

Enclosed is a presentation for the first phase of Oknah Park, the lands of Oknah Realty Limited. For the development of these lands it is essential that they be included within the existing service boundary and development boundary for the District of Cole Harbour and Eastern Passage.

As you are aware, council will be asked to make a decision with respect to the location of this servicing boundary, in the light of the present reports now before council recommending a change in the boundary after the determination had been made that excess capacity was created by reason of improved trunk and treatment facilities.

The following presentation will demonstrate to you the wisdom of including portions of the lands of Oknah Realty Limited to ensure a maximum benefit to the communities involved and to conform to the planning strategy established and set out in the Municipal Development Plan.

Essentially, Oknah Realty Limited appeals to you for the inclusion of its lands based on the premise that there is identified acreage remaining unallocated in both the Districts of Cole Harbour and Eastern Passage, that could be allocated to Oknah Realty Limited. We believe that the inclusion of approximately 20 acres of our lands in the District of Cole Harbour and a similar acreage in the District of Eastern Passage, being those lands contiguous to the Caldwell Road, would provide logical, orderly and planned development upon the lands that are now within the primary development corridor.

We trust that in your review of this presentation you will examine carefully the merits of our proposal. Please understand that the request of Oknah Realty Limited is for the inclusion of a portion of its lands and not for the substitution of any portion of its lands for any other lands now identified by the staff as being appropriate for immediate inclusion within the service boundary. Oknah Realty Limited has owned these lands for in excess of 20 years and has patiently waited for the opportunity to develop this property. We believe that the time is right for Oknah Park. We believe that the community will be well served by this project and we ask your serious consideration of this request.

Yours very truly,

OKNAH REALTY LIMITED

A handwritten signature in black ink, appearing to read 'Cathy Rossi', is written over the company name. The signature is enclosed within a large, hand-drawn oval.

Cathy Rossi,
President

**OKNAH REALTY'S REQUEST FOR INCLUSION WITHIN THE
SERVICE BOUNDARY**

**OKNAH REALTY'S REQUEST FOR INCLUSION
WITHIN THE SERVICE BOUNDARY
COLE HARBOUR/WESTPHAL**

PRESENT BOUNDARY RECOMMENDATION

	Acres
1. Humber Park/Lake Loon Crescent	51
2. Department of Housing	133
3. W. D. Morash	6.5
4. Willowdale Estates	22.3
5. A. R. Hemming Lands	11
6. Chestnut Realty Lands	32
7. Astral Drive/Parkway Dr. connection	7.5
	<hr/> 263.3
CAPITALS REQUEST FOR INCLUSION - OKNAH PARK	<hr/> 17.6 280.9
TOTAL ACREAGE AVAILABLE FOR ALLOCATION AS PER STAFF REPORT - MAY 1986	285.0
SURPLUS AVAILABLE AFTER INCLUSION LANDS OF OKNAH	4.1

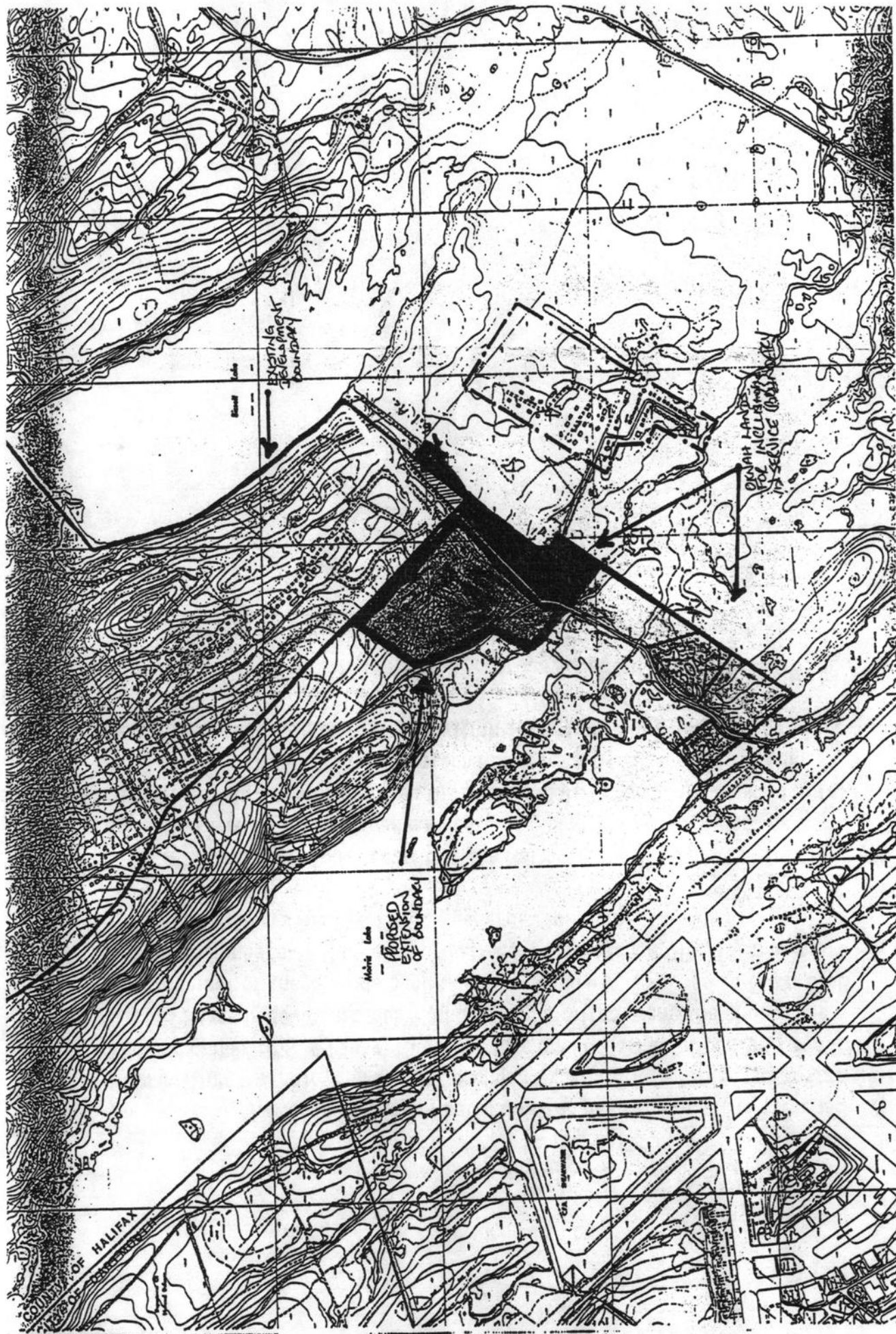


OKNAH REALTY LIMITED - THE PROPOSED DEVELOPMENT

The lands of Oknah Realty Limited are shown on the attached plan outlined in yellow, green and orange. Oknah Park is 168 acres in size and comprises 559 R-1 lots, 19 estate lots and 7.2 acres allocated for a senior citizens development. Oknah Realty Limited plans the phased development of these lands over the next decade in response to the growth and housing needs of the Cole Harbour/Eastern Passage Districts, as more serviced lands are included in the general development boundary.

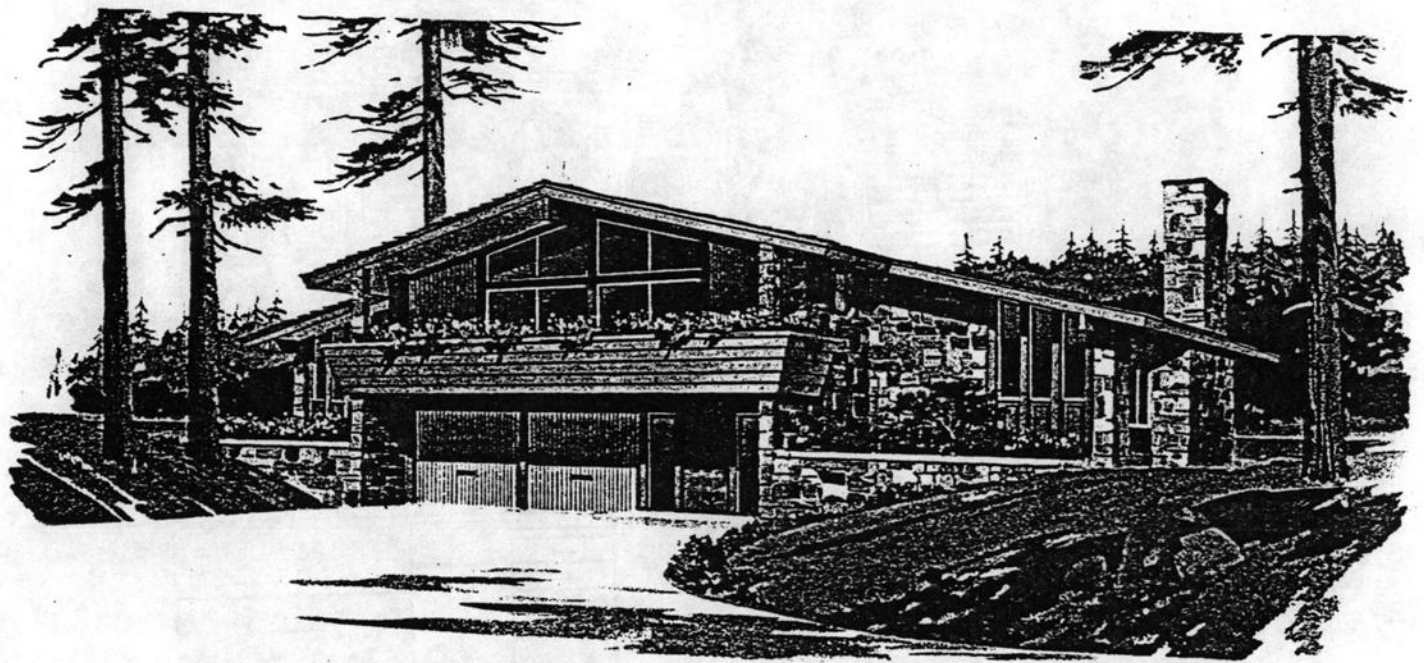
Our present request of the Halifax County Council is for the inclusion within the serviced boundary of a portion of Oknah Park being approximately 17.6 acres in the District of Cole Harbour and approximately 20.2 acres in the District of Eastern Passage; all of these lands being contiguous to the Caldwell Road within the primary development corridor.

The inclusion of the 40± acres requested would result in the development of 126 lots.

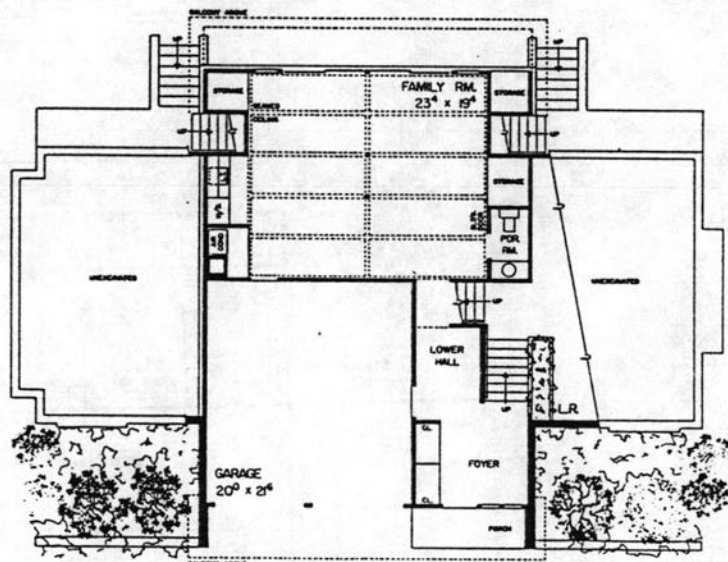


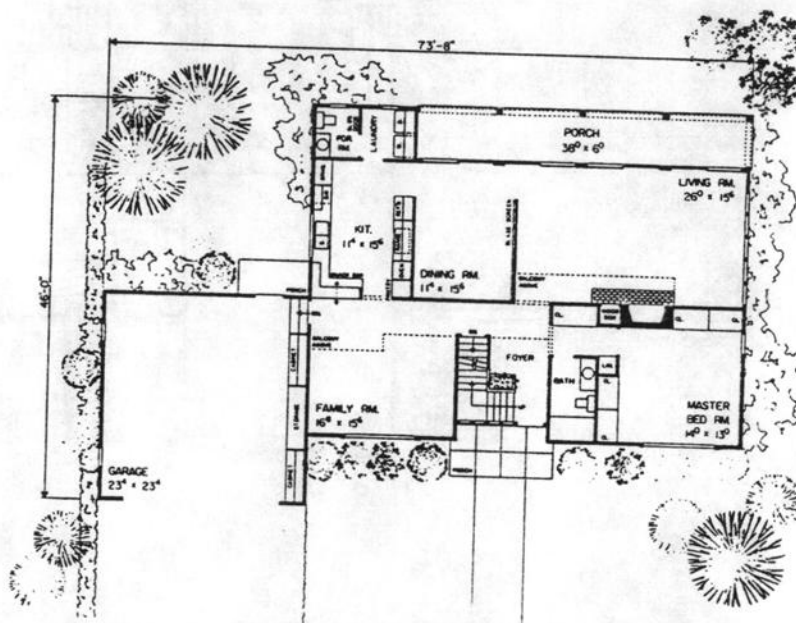
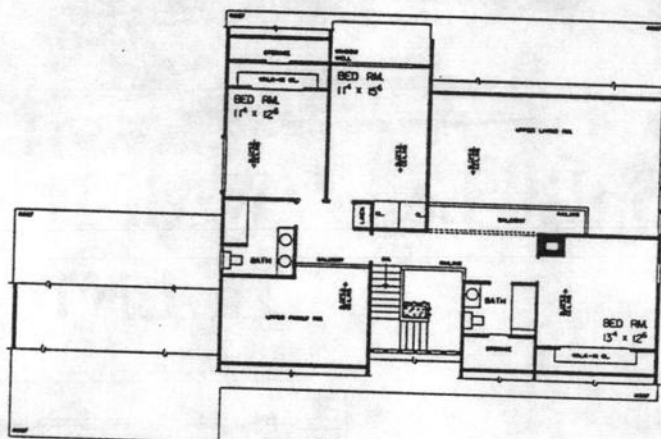
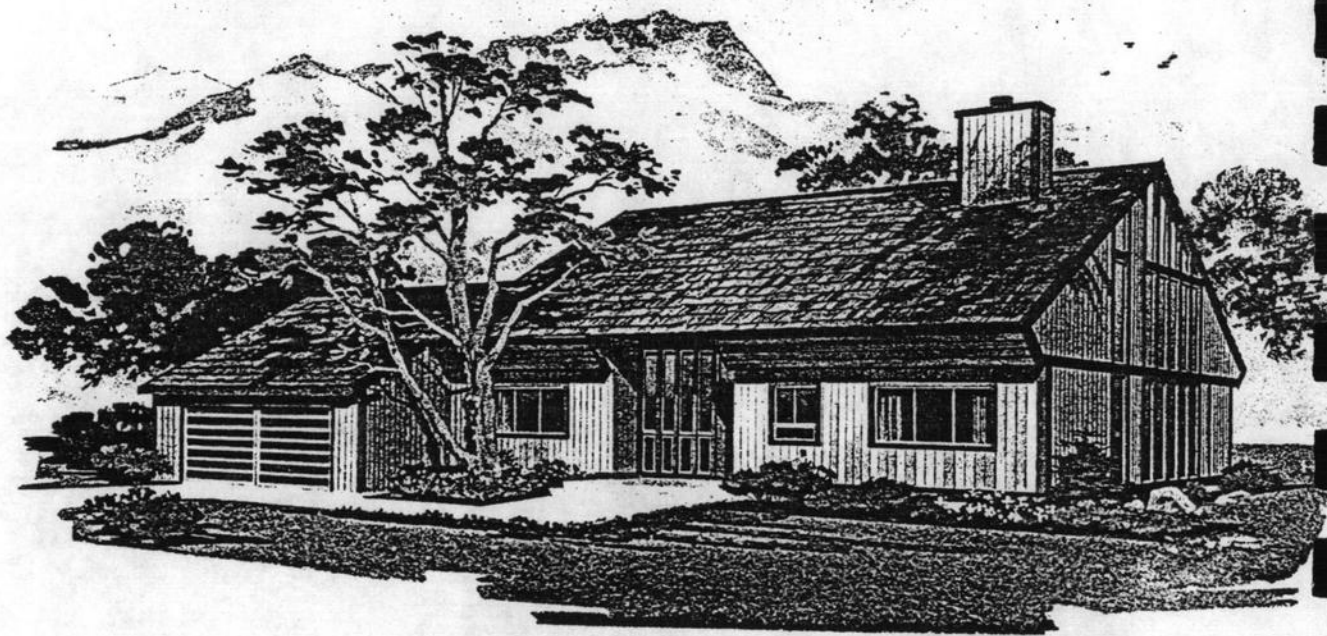
OKNAH PARK - A COMMITMENT TO THE COMMUNITY

Oknah Park is committed to single family living and plans the construction of single family dwellings typical of the surrounding area, i.e. Colby Village. The planned density is approximately 12 persons per acre.

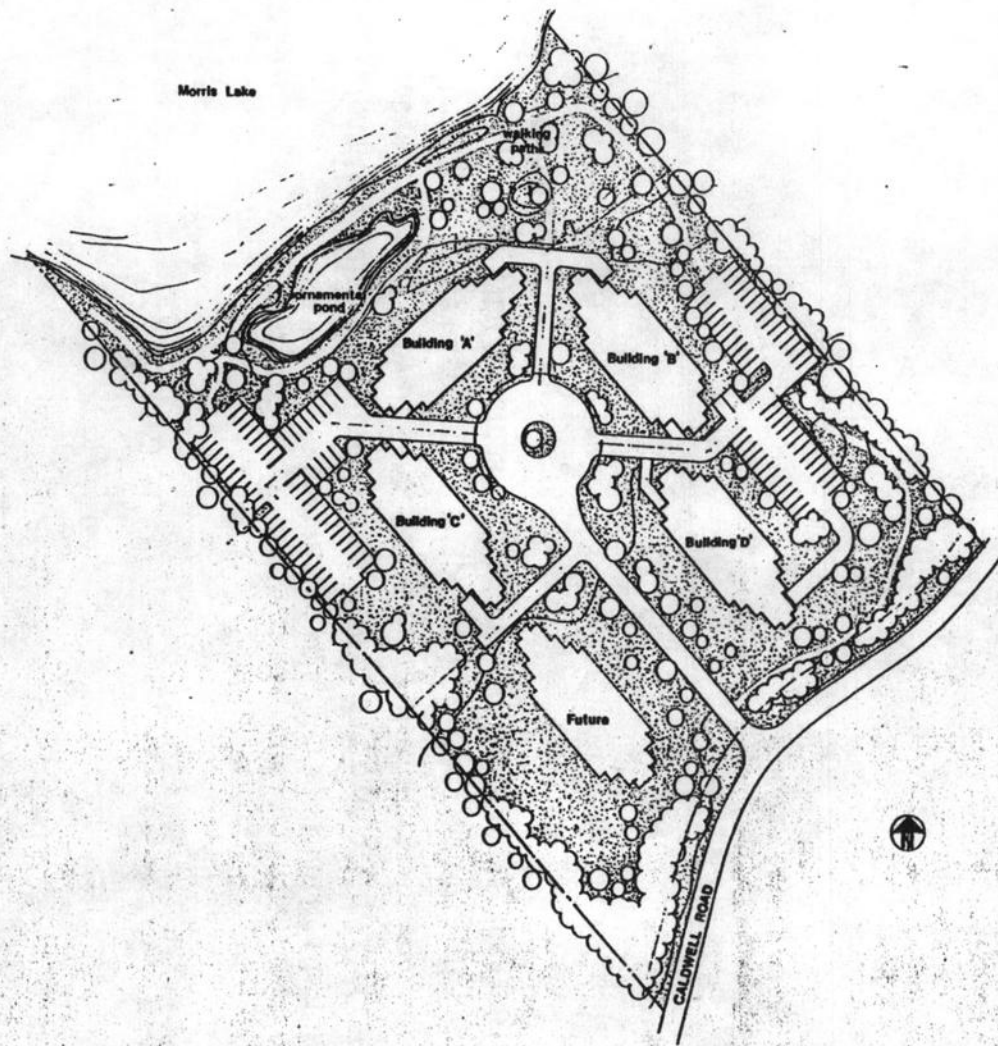


Split-Level With New Dimension In Living





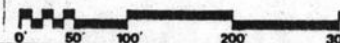
Oknah Park is committed to seniors. Oknah Realty Limited plans to develop a senior citizen's villa on approximately 7.2 acres of land located on the Caldwell Road. The density of this project will not exceed that of any R1 development. This project provides seniors with spacious living in low-rise buildings located on beautifully landscaped parklike surroundings.



RETIREMENT APARTMENT COMPLEX
 Cole Harbour, N.S. for OKNAH Realty Ltd.

PROPOSED SITE PLAN

SCALE:



KEY

N.T.S.

NOTES

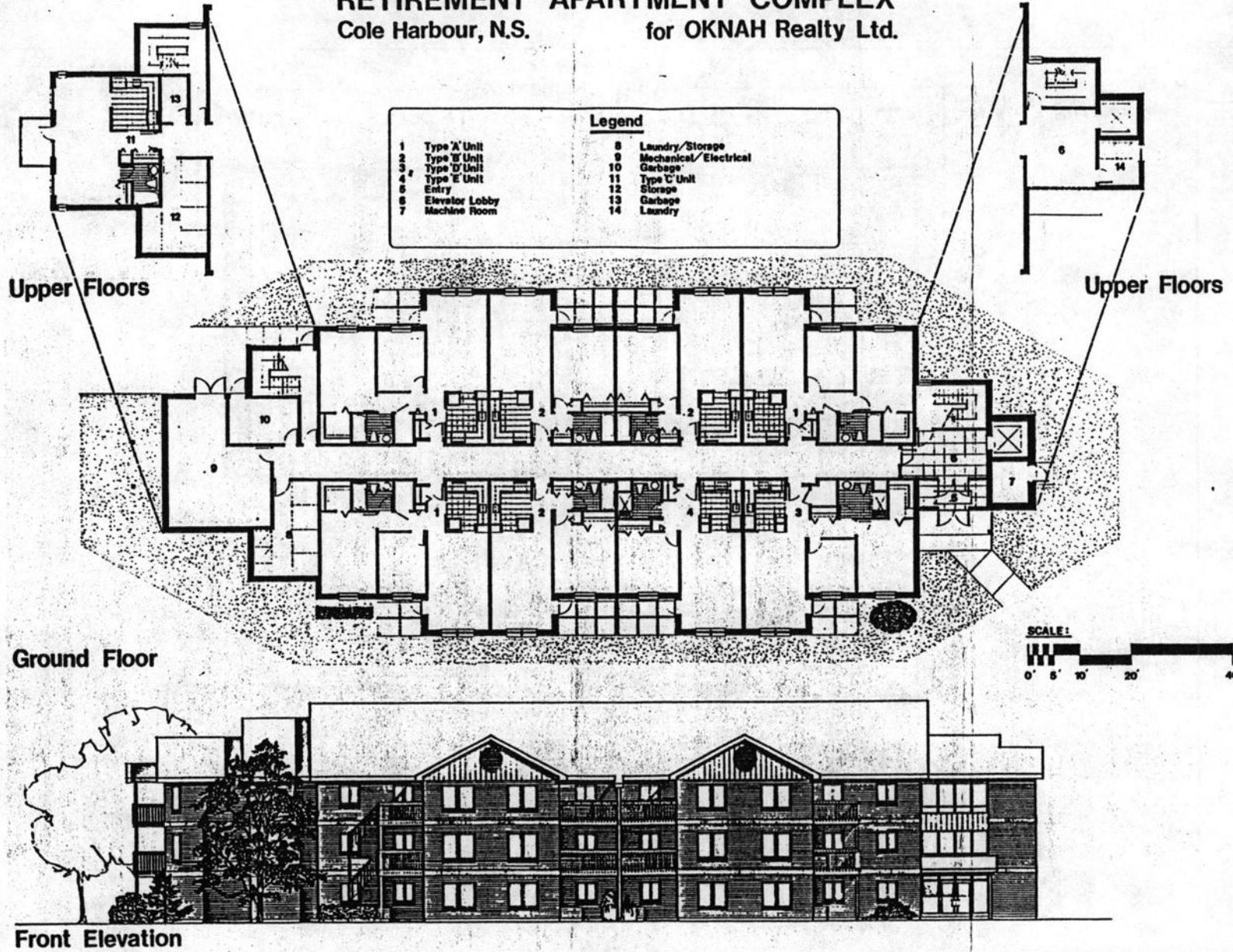
1. All dimensions are in feet unless otherwise specified.
2. All dimensions are to the centerline of the road unless otherwise specified.
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4. All dimensions are to the centerline of the road unless otherwise specified.
5. All dimensions are to the centerline of the road unless otherwise specified.

Robert J. Flynn Design Co.
 Architects and Engineers
 1000 Dufferin Street
 Halifax, N.S. B3B 1B7

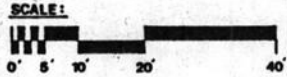
PROJECT	
DATE	
SCALE	
DESIGNED BY	
DRAWN BY	
CHECKED BY	
DATE	

RETIREMENT APARTMENT COMPLEX

Cole Harbour, N.S. for OKNAH Realty Ltd.



Legend			
1	Type 'A' Unit	8	Laundry/Storage
2	Type 'B' Unit	9	Mechanical/Electrical
3	Type 'D' Unit	10	Garbage
4	Type 'E' Unit	11	Type 'C' Unit
5	Entry	12	Storage
6	Elevator Lobby	13	Garbage
7	Machine Room	14	Laundry



NOTES

1. All work shall conform to the requirements of the Building Code of the Province of Nova Scotia, and the requirements of the National Building Code of Canada, 1971 Edition, and the requirements of the National Building Code of Canada, 1971 Edition, as amended.
2. All work shall conform to the requirements of the Building Code of the Province of Nova Scotia, and the requirements of the National Building Code of Canada, 1971 Edition, and the requirements of the National Building Code of Canada, 1971 Edition, as amended.
3. All work shall conform to the requirements of the Building Code of the Province of Nova Scotia, and the requirements of the National Building Code of Canada, 1971 Edition, and the requirements of the National Building Code of Canada, 1971 Edition, as amended.
4. All work shall conform to the requirements of the Building Code of the Province of Nova Scotia, and the requirements of the National Building Code of Canada, 1971 Edition, and the requirements of the National Building Code of Canada, 1971 Edition, as amended.

Robert J. Fines Design Co.
Architects and Engineers
240 Duke Street
Halifax, N.S. B2G 1P7

PROJECT

DATE

SCALE

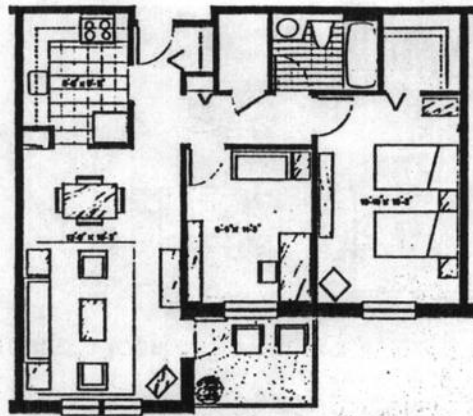
DESIGNED BY

DRAWN BY

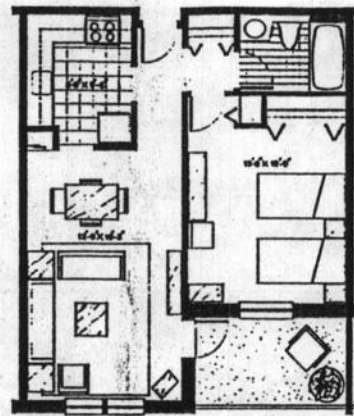
DATE

RETIREMENT APARTMENT COMPLEX

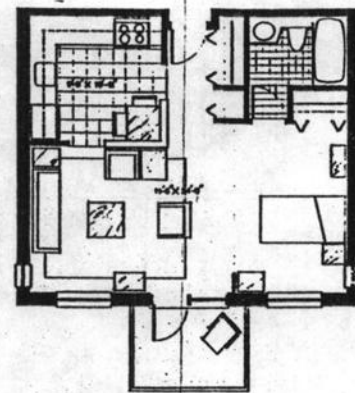
Cole Harbour, N.S. for OKNAH Realty Ltd.



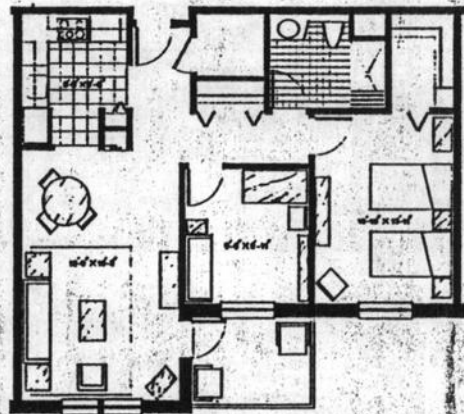
UNIT 'A' 792 s.f.



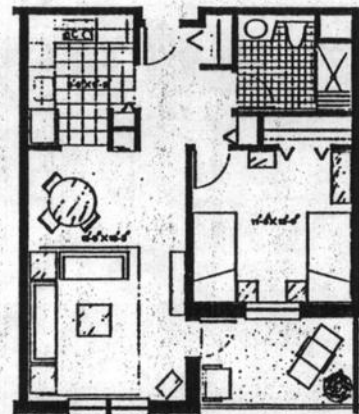
UNIT 'B' 610 s.f.



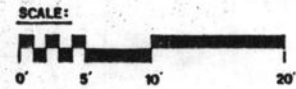
UNIT 'C' 487 s.f.



UNIT 'D' 792 s.f.
Paraplegic



UNIT 'E' 610 s.f.
Units



NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND SERVICES LOCATED UNDERGROUND AND ABOVEGROUND AND SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY UTILITIES AND SERVICES DAMAGED BY THE WORK.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES AND SERVICES AND SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY STRUCTURES AND SERVICES DAMAGED BY THE WORK.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CURBS AND SIDEWALKS AND SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY CURBS AND SIDEWALKS DAMAGED BY THE WORK.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING DRIVEWAYS AND SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY DRIVEWAYS DAMAGED BY THE WORK.



Robert J. Flett Design Group Ltd.
Architects and Engineers
5000 Delta Street,
Bellaire, N.S. B3J 1P7

PROJECT	
DATE	
SCALE	DATE
DRAWN BY	
CHECKED BY	
APP. NO.	SHEET NO.

OKNAH PARK - A COMMITMENT TO COMMUNITY SERVICE

PARKLAND

Oknah Realty Limited will dedicate parklands between the Caldwell Road and Morris Lake providing needed and valuable community access to Morris Lake. This significant natural asset is already available to residents of the City of Dartmouth and could afford a new recreational dimension to the residents of Cole Harbour/Eastern Passage.

TRANSPORTATION

Oknah Realty Limited will make a gift of lands to the Nova Scotia Department of Transportation to straighten the Caldwell Road, thus alleviating and curing the present hazardous course of this major transportation artery.

COMMERCIAL CENTRE

Oknah Realty Limited has dedicated two parcels of land for the development of a neighbourhood convenience centre, having identified the need for a light commercial use to complement the surrounding residential development. Such a commercial centre could include a drycleaners, convenience store, postoffice, video rental store and pharmacy.

OKNAH REALTY LIMITED - THE DEVELOPER

Ms. Cathy Rossi is the President and Managing Director of Oknah Realty Limited. She is the daughter of the late Nino Rossi, a well known Nova Scotian developer. While Ms. Rossi is a young woman she has extensive experience in the development industry as is revealed by the attached biography. In 1967 Nino Rossi became the major shareholder in Oknah Realty Limited, owner of the lands known as Oknah Park. Now, after 20 years Ms. Rossi looks forward to the realization of the development of these lands and has made a strong personal commitment to the ultimate completion on this project.

CATERINA G. ROSSI
22 Boutilier's Grove
Dartmouth, N.S.

EDUCATION: attended Mount Saint Vincent University
1978-1982; graduated with Bachelor of
Business Administration-Majors Management
and Marketing

SUMMARY OF WORK EXPERIENCE:

- 1981-present: Tower Masonry Contractors Limited: Property
Manager
management of over 500 residential units and
more recently the development and leasing of
commercial warehouse space.
- 1983-1986 Prime Realty Limited; Broker
marketing and sales of residential, commercial
properties in the metro area.
- 1981-present Tower Construction Limited; President
activities include purchasing and renovating older
buildings, construction of new buildings and
management.
- 1983-present Colby Developments Limited: Secretary-Treasurer
involved in the development of residential building
lots in the Colby Village area
Phase I has recently been completed.
- 1982-present Oknah Realty Limited: President
principally involved in the development of
approximately 160 acres to residential single
family building lots and some R2 and commercial
centres.
- 1981-1987 Halifax County Condominium Corporation #15:
President
directed a Board in the management of an 84 unit
condominium complex; revising and enforcing
by-laws.

VOLUNTARY OUTSIDE ACTIVITIES:

1984-present Fogolar Furlan of Halifax: Treasurer
social-cultural club whose mandate is to promote
the cultures of Friuli, Italy
I was involved in the initial organization of our
chapter, drafting the goals and by-laws of our
group; attended the National Congress to represent
Halifax.

**OKNAH PARK AND THE MUNICIPAL DEVELOPMENT PLAN
POLICY P-3**

**Lands shown on the Complied Plan
Oknah Park - Phases 1-8, dated 11 May 1987**

- A. The Municipal Development Plan for Cole Harbour/Westphal designates Phase 1 and 2 and a portion of Phase 3 as Residential A Designation. Phases 4 to 8 lie within the Municipal Development Plan area for Eastern Passage. The lands of Oknah Realty lying within the Cole Harbour/Westphal Plan Area and within the Residential A Designation amounts to approximately 38 gross acres. It is worthy of note that a small portion of this acreage (6.1 acres) in the vicinity of Astral Drive lies within the existing Service Boundary and Development Boundary.

Under Policy P-3 of the Municipal Development Plan in any proposal to extend sewer and/or water services, it shall be the intention of Council to consider a number of factors. These factors are listed below with a statement as to conformance with policy intent as applied to Phases 1 and 2 of Oknah Realty property.

(1) FINANCIAL COST TO MUNICIPALITY

"The financial ability of the Municipality to absorb any costs relating to the extension" - The Municipality has made the financial commitment to increase treatment plant capacity servicing the Cole Harbour Eastern Passage Area. Phase 1 and 2 of Oknah Park do not require any further financial undertaking by the Municipality. Primary access to the development will be provided along the existing Caldwell Road which does not require immediate upgrading. Sanitary Sewerage will discharge directly to the existing pressure sewer by means of a small sewage pumping station installed by Oknah Realty. In fact, the majority of the sewage generation from Phases 1 and 2 discharges to this new sewage lift station and not to the sewage pumping station on Astral Drive which is nearing capacity limits.

The existing 8 inch diameter watermain extending along Caldwell Road to Atholea Drive will provide adequate potable water and fire protection to Phase 1 and 2. Storm drainage will be readily

accommodated through normal piped systems with immediate discharge through natural drainage courses to Morris Lake.

In summary, there is no financial commitment by either the Municipality or the Province required to permit the development of Phase 1 and 2 of Oknah Park.

(ii) AMOUNT OF VACANT LAND WHICH IS SERVICED

"The amount of vacant land which is serviced by existing municipal services within the Service Boundary" - We are all aware that the amount of vacant land within the existing Service Boundary is limited leading to the Municipalities current upgrading program as related to increased sewage collection and treatment capacity. The only question remaining is the allocation of this capacity to new serviceable land.

Oknah Park Phase 1 and 2 lies within a primary development corridor in Cole Harbour which has proceeded eastward over time between Astral Drive and Caldwell Road and generally between Bissett Lake and Morris Lake, Phase 1 and 2 are contiguous to existing developments such as Willowdale and Kenwood Developments. Oknah Park is therefore contiguous to existing development and forms part of a logical eastward extension of existing development. In a southerly direction it also forms part of a logical and desirable infilling between Astral Drive and Caldwell Road. Phase 1 and 2 contribute to logical, orderly and planned development within the Cole Harbour area.

(iii) TYPE, DENSITY AND PHASING OF PROPOSED LAND

"The type, density and phasing of proposed land uses to be served, relative to their effects upon existing municipal infrastructure and general municipal and community services and facilities, and to the effects of any extension upon the natural environment" - Phase 1 and 2 of Oknah Park comprise single family development of a scale and price similar to existing development in Cole Harbour. Housing type

and density are in the low density category which is typical of the majority of development in Cole Harbour. As previously demonstrated the phasing associated with Oknah Park (Phase 1 and 2) does not create any negative impact on existing municipal servicing infrastructure. As related to general municipal and community services and facilities, Oknah Park will be well served. The new Astral Drive Elementary and Junior High campus is within acceptable walking distance for all portions of Phase 1 and 2. A need may already exist for development of a new elementary school more central to extreme easterly development occurring along Astral Drive. Fire and police protection fall within existing coverage and service areas. Again, because of presently occurring eastward development, a new fire sub-station may be required. Recreational facilities are plentiful as related to existing and proposed new facilities in Cole Harbour. In fact, with the development of Oknah Park an opportunity occurs to open up to the public one of the greatest natural resources in the Cole Harbour area in the form of Morris Lake. This significant natural asset is already available to residents of the City of Dartmouth and could afford a new recreation dimension to residents of Cole Harbour/Eastern Passage. This natural environment is a heritage resource.

(iv) EXISTING DRAINAGE OR POLLUTION PROBLEMS

"Existing drainage or pollution problems in the area under consideration" - Oknah Park is located within pristine lands free of pollution problems. Existing drainage will readily accommodate development with eventual discharge to Morris Lake.

In conclusion, Oknah Park readily meets all of the criteria contained in Policy P-3 of the Municipal Development Plan for Cole Harbour/Westphal which forms the basis for consideration for extension of sewer and/or water services.

Preliminary layout and design indicate that development of the lands do not impose any constraints and that the cost of development will be in the same range as for overall development in Cole Harbour.

B. STATEMENT REGARDING SERVICING CAPACITY

Although it is not the intent to question the basic assumptions underlying the sewage generation rates in the Pollution Control Study, there exists a possibility that 70 igpd/person flow rate will be higher than that actually generated if inflow/infiltration can be controlled. Also, there is some current evidence to suggest that the design density of 18 persons per acre is likely to be somewhat lower than this figure as evidenced by the figure of 12 persons/acre in Colby Village. Certainly it appears that Phase 1 and 2 of Oknah Park will be closer to a figure of 12 persons/acre rather than 18 persons/acre. The addition of Phase 1 and 2 of Oknah Park to the new service boundary is not likely to have a detectable impact on sewage treatment plant capacity.

**C. STATEMENT REGARDING - PHASES 4-8 OF OKNAH PARK
- LOCATED WITHIN THE AREA OF EASTERN PASSAGE**

The foregoing policy statements relating to Phase 1 & 2 of Oknah Park which are located within the Cole Harbour District, apply equally to the balance of lands of Oknah Park, Phase 4-8, which are located within the District of Eastern Passage.

SUMMARY

Oknah Realty Limited requests the inclusion of the lands identified herein within the serviced boundary of the Districts of Cole Harbour and Eastern Passage. We submit that the inclusion of these lands will result in the orderly, logical and planned development of the lands contiguous with the Caldwell Road which are presently in the primary development corridor.

The servicing cost to the Municipality is nil.

The benefits to the Municipality are great.

The benefits to the community are great.

The development of Oknah Park will:

- (1) provide single family development that will enhance the existing isolated development along Atholea Drive;
- (2) provide community access to Morris Lake providing a needed recreational resource;
- (3) provide lands for the Department of Transportation to straighten out the now hazardous Caldwell Road;
- (4) provide additional community oriented services such as a Senior Citizen's Villa and Community Commercial Centre;
- (5) provide an increased tax base by the natural extension on this existing development corridor.

MINUTES & REPORTS
OF THE
THIRD YEAR MEETINGS
OF THE
FORTY - SECOND COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX
DECEMBER COUNCIL SESSION
TUESDAY, DECEMBER 3 and 17, 1987

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COUNCIL SESSION

DECEMBER 1, 1987

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

ALSO PRESENT: Mr. K. R. Meech, C.A.O.
Mr. G. J. Kelly, Municipal Clerk
Mr. R. G. Cragg, Municipal Solicitor
Mr. Ken Wilson, Director of Finance

SECRETARY: Mrs. M. R. Murphy

The Warden called the Session to order with the Lord's Prayer. Mr. Kelly called the roll.

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

"THAT Margo Murphy be appointed Recording Secretary."
MOTION CARRIED

MINUTES

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

"THAT the Minutes of the Joint Urban/Rural Services Committees, held on September 8, 1987, be approved as distributed."
MOTION CARRIED

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

"THAT the Minutes of the Public Hearing, held on October 26, 1987, be approved as distributed."

MOTION CARRIED

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

"THAT the Minutes of the Committee of the Whole Session held on October 29, 1987, be approved as distributed."

MOTION CARRIED

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

"THAT the Minutes of the November 3, 1987, Council Session be approved as distributed."

MOTION CARRIED

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

"THAT the Minutes of the Public Hearing held on November 9, 1987, be approved as distributed."

MOTION CARRIED

EMERGENCY AGENDA ITEMS

Crosswalks - Councillor C. Baker

CORRESPONDENCE

1. MINISTER RESPONSIBLE FOR CANADA MORTGAGE AND HOUSING CORPORATION
- NOVEMBER 18, 1987

Mr. Kelly read the letter which dealt with the delivery of the Residential Rehabilitation Assistance Program in Halifax County.

Councillor Walker advised that he had brought this matter to the attention of Council. Councillor Walker said that they had met the local officials and were not satisfied. He said he had requested a meeting with the Minister and would like to have Council write again requesting a meeting with the Minister. Councillor MacKay said he has two questions he would like to see addressed. One is with regard to the comment in the first paragraph where it says that the Municipality "does not presently have the delivery capabilities to maintain the level of services established by Mikmakik." Councillor MacKay said that he is very disappointed to hear that our Municipality does not have the delivery capabilities, and secondly, with regard to the Minister's statement: "In the past three years, your Municipality has been unable to commit its allocation with a shortfall ranging from 59 per cent to 81 per cent annually." Councillor MacKay said that this is with respect to the Urban areas of the County, namely Timberlea,

Lakeside, Beechville and Sackville, and he questioned what that meant. He wanted to know if this means that they have allocated a certain amount of funds, and the applications have not come up to the amount of funds that are available. Mr. Kelly said that he contacted the department who administered the program and there were quite a number of applications that were not approved, and for various reasons. The total funding available to the Municipality was not used because the number of applications approved did not use the amount of dollars allocated to our Municipality.

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

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

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

"THAT we write to the Minister Responsible for Canada Mortgage and Housing Corporation and advise him that we want to meet with him the next time he is in the area, at his convenience, and it should be made very clear that we want to discuss this matter in detail, and advise that we have dealt with the local department heads in the past and we have not come up with a satisfactory solution, in our opinion."
MOTION CARRIED

Councillor Lichter asked if the final approval for an application rests with the municipality or with CMHC. Mr. Meech advised that it rests with CMHC. Councillor Lichter said that he felt it was very important that we meet with the Minister, and he feels that it was with great reluctance that they looked at our request -- which is a long-standing request -- and he said that if the applications are not processed, or not approved, and then later on we are quoted percentages and told that the Municipality is unable to commit its allocation. He said that this was totally unsatisfactory to him, and he would like to know from the Minister how these things happen.

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

"THAT the Municipality write to CMHC asking specifically two questions:

1. Based on what information does the Municipality of the County of Halifax not have delivery capabilities?
2. How many applications were received since 1984 for the Timberlea, Lakeside, Beechville and Sackville areas, and of this number, how many were not approved, and why were they not approved?

Further, that we would like to have this information made available to us at least by the time that we meet with the Minister."

MOTION CARRIED

2. DEPARTMENT OF TRANSPORTATION - NOVEMBER 19, 1987

Mr. Kelly advised that this letter from the Minister is in response to our correspondence and a resolution of Council requesting a flashing light be installed at the intersection of the Prospect Rd./Terrence Bay Rd. The Minister points out that an investigation indicates that a flashing light will not be installed at this time, at this location.

Councillor Baker pointed out that he had also requested improved pavement markings at the intersection, and that he had not heard back, but he notes that the Minister mentions it in this letter.

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

"THAT this letter be received."
MOTION CARRIED.

3. FISHERIES AND OCEANS CANADA - NOVEMBER 9, 1987

This letter was with regard to the fishing vessel activity in Terrence Bay on October 17, 1987.

Councillor P. Baker advised that the RCMP are now investigating this. Councillor C. Baker said that it is taking them a long time to investigate and that this has been going on for a long time.

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

"THAT this letter be received."
MOTION CARRIED.

4. DEPARTMENT OF TRANSPORTATION - NOVEMBER 10, 1987

Mr. Kelly advised that this was in respect to the petition signed by residents of the Boyd Hill Road which was forwarded to the Minister of Transportation.

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

"THAT this letter be received."
MOTION CARRIED

5. DEPARTMENT OF MUNICIPAL AFFAIRS - NOVEMBER 27, 1987

Mr. Kelly advised that this letter is in response to Council's request to extend the effective date of the Zoning By-Law to December 1, 1988.

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

"THAT this letter be received."
MOTION CARRIED

RESOLUTION - COMMITTEE OF THE WHOLE SESSION

The Warden introduced the Resolution and it was agreed by Council that this would be dealt with at this point in the session.

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

"THAT Council go In-Camera."

MOTION CARRIED

It was agreed to come out of camera.

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

"THAT WHEREAS Council of Halifax County Municipality is anxious that citizens of the County have democratic control over decisions affecting their communities.

AND WHEREAS the rapid growth of the community of Sackville and other areas of the County has resulted in special needs and demands for municipal services,

AND WHEREAS a Province of Nova Scotia Report entitled "A Financial Impact Analysis - Sackville" indicates that the incorporation of Sackville as a separate town would result in a substantial increase in tax levels for its citizens,

AND WHEREAS it is the County's desire to have the Community of Sackville remain within the County as an integral and intrinsic part of the County,

THEREFORE BE IT RESOLVED THAT Halifax County Municipality endorses the principle of creating a community council, based on the model proposed by Henson College, to assume the responsibility, through an elected Council, for those matters that are necessary and feasible to administer locally without costly duplication of capital and operational expenditures,

AND THAT the Ad Hoc Committee (recently appointed to study the matter) be instructed to work in concert with the residents of the community of Sackville to develop a proposal for such a County unit with an agreed level of service that is mutually acceptable to the residents and to Council, with a view to submitting to the Province a request for the necessary legislative actions to achieve the common goal."

MOTION CARRIED (VOTE: In favour - 12; Against - 8)

PLANNING ADVISORY COMMITTEE REPORT

It was noted that Councillor Lichter was re-elected Chairman of PAC.

Development Agreements

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

"THAT Council approve specific sections of the Development Agreements between the Municipality of the County of Halifax and Century Parks Limited (DA-SA-28-85-19), Lawrence J. Fredericks (DA-EP/CB-34-85-06); and Candav Holdings Limited (DA-EP/CB-07-86-06); be discharged, as per Schedules "A", "B", and "C" of the Staff Report dated November 9, 1987.

MOTION CARRIED.

Definition - Semi Detached Dwelling

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

"THAT Council approve the recommendation that in order to amend the land use by-laws for Sackville; Cole Harbour/Westphal; Eastern Passage/Cow Bay; Timberlea/Lakeside/Beechville; North Preston and By Law #24, that the applicable Public Hearing be held on Monday, January 11, 1988, at 7:00 p.m."

MOTION CARRIED

Councillor MacKay requested if on the night of the Public Hearing he could have some information made available; specifically, with respect to the horizontal axis, as shown in the drawing on Page 2 of the Staff Report dated 26, 1987. Councillor MacKay would like to know the Building Code Requirements for fireproofed walls on the sides that would face each other, and the common wall.

Plan Review Process

It was brought to Council's attention that PAC had decided that effective December 7, 1987, and for the duration of the Plan Review Process, that the Sub-Committee established to deal with the Plan Review would meet each Monday from 2:00 p.m. to 3:30 p.m., and that regular PAC meetings will be held on Mondays, at 3:30 p.m.

Councillor Lichter advised that the Sub-Committee referred to would consist of the regular PAC members and all Councillors of the five Plan Areas that are to be reviewed, all of whom would be full-fledged members of the Sub-Committee.

Application No. RA-SA-19-87-16 - Rezoning Florence Place Court from R-1 to R-2

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

"THAT the application by Florence Development Limited to rezone the remainder of Lot AB, located off Florence Place Court between Kaye Street and Sackville Drive in Sackville, from R-1 (Single Unit Dwelling) zone to R-2 (Two-Unit Dwelling) zone be rejected by Municipal Council."

MOTION CARRIED.

Application No. RA-SA-17-87-16 - Rezoning 30 Skyridge, Lower Sackville

It was moved by Councillor Lichter, seconded by MacKay:

"THAT Council approve the staff recommendation that if the applicant makes application again for rezoning that the application fees will be waived."

MOTION CARRIED

Councillor Lichter advised that it was brought to PAC's attention that the applicant was notified in writing, however, did not receive the notification until the day after the Public Hearing and was therefore unable to attend the Public Hearing. In view of that, PAC examined the situation and thought that it would only be fair to waive the fees, and in addition, staff has been asked to advise applicants by telephone, as well as by letter, prior to the Public Hearing.

EXECUTIVE COMMITTEE REPORTTransfer of Property, East Dover

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

"THAT approval be granted for the transfer of title to the parcel of land owned by the Municipality on which the church hall has been located for approximately 40 years, to the East Dover Parish Council of the Roman Catholic Episcopal Corporation, by Quit Claim Deed."

MOTION CARRIED

Funding - Cole Harbour Place

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

"THAT Council approve funding for Cole Harbour Place, as recommended by the Executive Committee, as follows:

- a) The County act as Banker for Cole Harbour Place;
- b) The County temporarily borrow the funds required, to a maximum of \$5 million, which includes requesting an additional \$3.5 million Temporary Borrowing Resolution, to be approved by the Province;
- c) Council reserves the right to levy an area rate if the projected revenues are less than the projected costs."

Councillor Lichter advised that approximately three months ago, he requested that a copy of the contract between the Cole Harbour Place Foundation and the Municipality be provided to all Councillors in order to assure that the agreement is according to the original resolution of Council in August, 1986. Mr. Meech advised that this was an oversight, and that it would be provided to all Councillors as soon as possible.

Councillor Lichter said that he has not had an opportunity to see if everything is consistent with the original Motion. He said that on at least three different occasions -- June 10, July 15, and August 5 -- Council dealt with this item and there were a number of modifications to the original motion made. With regard to the August Meeting when the final motion was made by Council, he found that the Motion was amended to include some of the recommendations that were brought to Council's attention -- namely, clauses C, F, and G of the paper that he had brought forward at that particular time, and he stated that he had no indication whatsoever that those clauses were incorporated into the Contract. He stated that he has a problem in dealing with the transfer of the piece of land of approximately six acres, to Cole Harbour Foundation, or to the Service Commission, because he said that in original discussions, assurances were made by different Councillors that there would be no need for any additional land. Further with regard to the description of the land from the Executive Committee, where it states that land be conveyed to them, with an estimated market value of the property to be determined and noted, he wanted to know what that meant.

He said that with regard to both of these items, he felt that without seeing the actual contract, he would not be prepared to support the motion at this time.

Mr. Meech advised that there was no contract but there was an exchange of communications. With respect to the transfer of the land, there was a great deal of discussion at the time of dealing with the proposal, as to whether in fact the land and the proposed expansion of the facilities should be in the name of the Municipality, or the Service Commission and the Municipality wanted to make certain that it was protected so that if Cole Harbour was annexed to the City of Dartmouth, that in fact that particular asset and any liabilities, would naturally go with the annexed area. At that time it was concluded that a preferred option in terms of providing the most protection, based on the legal opinions we had at the time, would be to have the land in the name of the Westphal/Cole Harbour Service Commission. The land in question is presently in the name of the Municipality, and what is being conveyed is that portion of the land that will fact give them sufficient land to house the entire Cole Harbour Place -- the existing Scotia Stadium, as well as the expansion, which Mr. Meech felt was consistent with what had originally been agreed to.

With regard to the matter of the land value, Mr. Meech advised this was added at the Executive Committee level, and the point in doing that was to identify what the market value of the land is, so that we get some recognition with respect to the granting of the land, and that over and above our commitment of \$1.5 million for the project the municipality is turning over land that has a market value of x number of dollars.

Councillor Lichter commented on this explanation and further said that in the Minutes of June 17, 1986, in which it is stated that "Councillor Lichter's motion meets all the requirements of the