

portion of the lands located southwest of the Montague Road and east of Loon Lake from the R-7 to the R-1 Zone be approved by Council."
MOTION CARRIED

RA-CH/W-15-89-24 - Application by the Municipality to Rezone Parcel P-1 as illustrated by a compiled plan of Carlisle Place, located to the south of Astral Drive in Cole Harbour, from P-1 (Open space) Zone to R-1 (Single Unit Dwelling) Zone.

Ms. Ryan showed slides of the site and presented the report stating that Mr. Frank Berrigan has applied to have a portion of parcel P-1 rezoned from P-1 to R-1. The purpose of this application is to permit a 672 sq. ft. garage, a portion of which was constructed on parcel P-1. Mr. Berrigan inadvertently constructed the garage over his property line onto Parcel P-1.

The property is located within the Residential A Designation of the Cole Harbour/Westphal MPS. This designation is designed to protect the single unit dwelling environment and those uses which are supportive of residential environments.

She stated that the Municipality originally intended to accept parcel P-1 as parkland dedication, through the subdivision process for the Carlisle Place Subdivision. In 1976, the developer agreed to deed this parcel to the Municipality upon completion of subsequent phases of this subdivision. However, the Municipality subsequently acquired alternate lands, in this area, which satisfied the land requirements for the parkland dedication.

Parcel P-1 is used as a passive recreation area, in accordance with the open space zoning. It also serves as a drainage area for stormwater overflow.

Questions from Council

Councillor Sutherland asked why the Municipality did not accept the P-1 parcel. Ms. Ryan stated that once the phasing was completed, the municipality acquired more appropriate land, with water frontage, over time.

Councillor Ball stated that the person may have built the garage with the anticipation of rezoning. He stated that it was supposed to be the other way around.

Warden Lichter stated that this is normally the case.

Councillor Ball stated that anyone abutting the parkland could put in a garage over the P-1 to try to get the portion of land conveyed and then if not, apply to the County for rezoning. He stated that

this should be done first, before construction is begun.

Councillor Morgan stated that it appears that the land is plotted so that if the county did not take over, then the owner is trying to send a message that everyone abutting could have a larger lot if they so wish. Warden Lichter stated that this was conceivable.

Councillor McInroy stated that it was his understanding that when he spoke with Mr. Hodgson, the owner of the P-1 parcel, that the municipality declined to take ownership of the property because of maintenance difficulties and liabilities and also because of the shape of the parcel. He stated that the owner had considered what was suggested by Councillor Morgan. He stated that this was done on another portion of land at this development.

Councillor Harvey asked if the Right-of-Way would be rezoned or conveyed. Ms. Ryan stated that it would be conveyed. She stated that there are negotiations between Mr. Berrigan, the land owner and the engineering department to grant an easement to the municipality to allow the Department of Engineering and Works to gain access to those lands.

Speakers in Favour

Mr. Berrigan stated that the assumption was correct about the conveyance of lands. He stated that it was the intention of the developer to subdivide the parcel to the abutting property owners. He stated that the abutters felt that they had the use of the land anyway, and therefore, did not want to go through the expense.

Mr. Berrigan stated that he was granted a minor variance and Mr. Hodgson agreed to give him the land and he did not think that there was a problem. It was through the subdivision process that he was told that this property was zoned parkland. He stated that he thought the property was privately owned land because the land belonged to Mr. Hodgson and a he had a purchase and sale agreement for the portion.

Mr. Berrigan stated that the right of way is written in the deed that he deeded back to Chestnut Realty. He stated that he would not be changing the access. He stated that children in the area use this as a way to get to school and he stated that he deeded this back to the owner of the property so that the children can use this area, even if he moves and sells his property.

Questions from Council

None.

Speakers in Opposition

None.

Decision of Council

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

"THAT the application by Frank Berrigan to rezone parcel "A", as illustrated by a proposed plan of subdivision of the lands of Chestnut Realty, located to the south of Astral Drive, in Cole Harbour, from P-1 Zone to and R-1 Zone, be approved by Council."

MOTION CARRIED

Adjournment

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

"THAT these hearings adjourn."

MOTION CARRIED

The hearings adjourned at 7:40 p. m.

MINUTES & REPORTS
OF THE
SECOND YEAR MEETINGS
OF THE
FORTY-THIRD COUNCIL
OF THE
MUNICIPALITY OF THE COUNTY OF HALIFAX

APRIL COUNCIL SESSION

TUESDAY, APRIL 3 & 17, 1990

&

PUBLIC HEARING

APRIL 9 & 30, 1990

&

SPECIAL COUNCIL SESSION

APRIL 23, 1990

INDEX

APRIL COUNCIL SESSION - 1990

Arcade License - - - - -	20 - 21
By-law enforcement officer - animal control - - - - -	3
CN Crossing Grade - Wellington - - - - -	4 - 5
Capital Grants - Cultural and Recreational facilities - - - - -	7 - 8
Chief Inspectors Report - - - - -	10 & 22 - 23
Churchill Estates - Water supply - - - - -	28 - 29
Development officer report - - - - -	22
Development officer appointments - - - - -	22
Dog By-Law - - - - -	28
Environmental Rate - - - - -	10
Grants - - - - -	9 & 20
Handicapped - access to walkways - - - - -	4
Letters & Correspondence - - - - -	1 - 6 & 16-18
Loan - Roman & Carter Subdivision - - - - -	8
Lawrencetown Municipal Planning Strategy - - - - -	23
Lockview Road - Upgrading - - - - -	28
Motion - Appointment of Recording Secretary - - - - -	1 & 15
Motion - Letters & Correspondence - - - - -	1 - 6 & 16-18
Motion - By-law enforcement officer, animal control - - - - -	3
Motion - Access to Walkways RE: Handicapped - - - - -	4
Motion - CN Crossing Grade, Wellington - - - - -	4 - 5
Motion - Minor Variance Appeal - - - - -	6
Motion - Date for Public Hearings - - - - -	6 - 7 & 18 -19
Motion - Capital Grants, Cultural and Recreational facilities- - -	7 - 8
Motion - Loan - Roman & Carter Subdivision - - - - -	8
Motion - Temporary Borrowing Resolution Guarantees - - - - -	8 - 9
Motion - Grants - - - - -	9 & 20
Motion - Redistribution Committee Report - - - - -	9 - 10
Motion - Environmental Rate - - - - -	10
Motion - Chief Building Inspectors Report - - - - -	10 & 22 - 23

INDEX

APRIL COUNCIL SESSION - 1990

Motion - Activity funds - - - - -	11 - 13
Motion - Cole Harbour/Westphal Steering Committee - - - - -	13 - 14
Motion - Adjournment - - - - -	14 & 29
Motion - Approval of Minutes - - - - -	15 - 16
Motion - Transit Cost Sharing By-Law - - - - -	17
Motion - Paving requests - - - - -	17 & 27
Motion - Jigger Mott Fun & Fitness Walk - - - - -	18
Motion - Sludge Disposal - - - - -	19 - 20
Motion - Property Tax Exemption - - - - -	20
Motion - Arcade license - - - - -	20 - 21
Motion - Sewer Connection Agreement - - - - -	21 - 22
Motion - Development officer report - - - - -	22
Motion - Development officer appointments - - - - -	22
Motion - Lawrencetown Municipal Planning Strategy - - - - -	23
Motion - User fees - - - - -	23 - 25
Motion - Landfill Site - - - - -	25 - 26
Motion - Radio license fees, fire departments - - - - -	26 - 27
Motion - Dog by-law - - - - -	28
Motion - Lockview Road upgrading - - - - -	28
Motion - Intersection Highway 102 near Bedford - - - - -	28
Motion - Churchill Estates water supply - - - - -	28 - 29
Motion - Appointment administrator Rehab Centre - - - - -	29
Public Hearings - Dates - - - - -	6 - 7 & 18 - 19
Paving requests - - - - -	17 & 27
Property Tax Exemption - - - - -	20
Redistribution Committee report - - - - -	9 - 10
Radio license fees - fire departments - - - - -	26 - 27
Rehab Centre - appointment of administrator - - - - -	29
Sludge Disposal - - - - -	19 - 20
Sewer Connection Agreement - - - - -	21 - 22
Temporary Borrowing Resolutions Guarantees - - - - -	8 - 9
Transit Cost Sharing by-law - - - - -	17
User Fees - - - - -	23 - 25

COUNCIL SESSION

3 April 1990

PRESENT WERE:

Warden Lichter
Councillor Meade
Councillor Poirier
Councillor Fralick
Deputy Warden Baker
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Morgan
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Councillor Richards
Councillor McInroy
Councillor Cooper

ALSO PRESENT:

Mr. E. Mason, Acting Chief Administrative
Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. R. G. Cragg, Municipal Solicitor

SECRETARY:

Twila Simms

Warden Lichter called the session to order at 6:00 p.m. with the Lord's Prayer. Mr. Kelly called the Roll.

It was moved by Councillor Sutherland, seconded by Councillor Boutilier:

"THAT Twila Simms be appointed Recording Secretary."
MOTION CARRIED

LETTERS AND CORRESPONDENCE

Department of Transportation and Communications

Mr. Kelly reviewed the letter concerning the possible expansion of Highway 107 Interchange at the East Chezzetcook Road.

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

"THAT this letter be received."

Councillor Randall stated that this letter does not address the Chezzetcook Industrial Park. He stated that this interchange will have a direct impact on the park. He stated that he was disappointed with the Minister's response because he has not addressed this part of the issue.

MOTION CARRIED

Department of Transportation and Communication

Mr. Kelly reviewed the letter concerning the updated traffic counts on Irene Avenue and Old Beaverbank Road.

It was moved by Councillor Sutherland, seconded by Councillor Boutilier:

"THAT this letter be received."

Councillor Sutherland stated that this confirms his impression that the construction of the SuperStore has created added traffic volumes in the area. He stated that upgrading of the lighting will have to be considered in the future.

MOTION CARRIED

Department of Transportation and Communication

Mr. Kelly reviewed the letter concerning John Stewart Drive, Cole Harbour.

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

"THAT this letter be received."

MOTION CARRIED

Mr. Alan Turner, RE: Quarry, Kearney Lake Road

Mr. Kelly reviewed the letter from Mr. Alan Turner expressing his concern over the proposal to build a quarry in the area.

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

"THAT the letter be received."

Warden Lichter stated that more letters have been received and will be treated in the same manner.

Councillor Eisenhauer stated that this item was discussed at PAC yesterday. He stated that under the plan, quarries are permitted by development agreement. He stated that the plan is only one year old.

MOTION CARRIED

Department of Transportation and Communications

Mr. Kelly reviewed the letter concerning the maintenance of the Kearney Lake Road, Halifax County.

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

"THAT this letter be received."

Councillor Eisenhauer stated that the concern is that the portion maintained by the Town of Bedford, evident by the signs posted, is using crusher dust instead of salt. He stated that it is curious that the number of complaints has not increased.

MOTION CARRIED

Halifax County Animal Control

Mr. Kelly reviewed the letter requesting the appointment of Joanne Marie Kelly as By-Law Enforcement Officer via the Police Commission.

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

"THAT this letter be received."

MOTION CARRIED

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

"THAT Council request the Nova Scotia Police Commission to appoint Joanne Marie Kelly as By-Law Enforcement Officer for Animal Control."

MOTION CARRIED

Department of Transportation and Communications

Mr. Kelly reviewed the letter concerning access to walkways and recreational lands for handicapped persons.

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

"THAT this letter be received."

Councillor MacDonald stated that the pathways are originally owned by the Department of Housing. He stated that if they are made accessible, there should be some cost sharing with the province, not at 100% Municipal cost as suggested in the correspondence.

Councillor Sutherland stated that to have accessibility to the walkway would entail removing the asphalt and at the roadside and regrading and stated that \$10,000 per pathway seems high.

Councillor McInroy stated that whenever plans are drawn up, that the drawings show the depressed ramps at the roadside curbs. He stated that this letter also indicates that this is their opening position and it may be worthwhile to follow up with staff to identify areas that are of most concern and go forward to the Department of Transportation with a proposal for cost sharing.

Councillor Boutilier questioned the liability factor. Mr. Cragg stated that this would not increase the liability.

MOTION CARRIED

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

"THAT this item be referred to the Urban Services Committee for further negotiations as to which walkways need this treatment."

MOTION CARRIED

CN, Crossing Grade, Wellington

Mr. Kelly reviewed the letter concerning the request to reply to the closure of the crossing dated 31 January 1990.

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

"THAT this letter be received."

Councillor Horne stated that he is not happy with the outcome and stated that the problem has to be addressed.

MOTION CARRIED

It was moved by Councillor Horne, seconded by Councillor Morgan:

"THAT Council write to Mr. Johnson, District Manager CN, to renegotiate with the residents to open the crossing."

Councillor Horne stated that there is not a residents association as such and stated that the biggest question was with the liability insurance which is considerable higher than it had been previously.

Councillor McInroy stated that he did not feel comfortable in forcing the issue. He stated that this is a safety matter and stated that the last paragraph indicates that mailboxes and school bus stops will be relocated to the proper side of the track. He stated that supporting the motion may be premature at this time.

Councillor Horne stated that the relocation of the mailboxes will go from several hundred feet to 1/2 mile away. He stated that there are 100 homes in the area and it is the only entrance and exit. He stated that in the case of a train derailment, residents will have no way in or out. He stated that the letter refers to only 4 homes, but stated that that was 65 years ago. He stated that there are approximately 100 homes in the area now.

Councillor Harvey stated that there is reference to the cost of the insurance. He stated that unless some group is prepared to pick up the costs then CN may not be willing to negotiate at all. Councillor Horne stated that the insurance may be as high as \$200 per family per year.

Councillor Merrigan questioned whether CN could take away something that had been used for 65 years. Mr. Cragg stated that the letter seems to indicate that there was some sort of written agreement which would indicate that they could close the crossing.

Councillor Horne stated that he has talked to a number of the residents and they are willing to work towards the insurance costs.

Warden Lichter stated that a letter could go to CN indicating that the residents and Councillor were willing to work towards securing the funds.

MOTION WITHDRAWN

It was moved by Councillor Horne, seconded by Councillor Morgan:

"THAT a letter be written to CN indicating that the Councillor and residents would be willing to look towards securing the funds for the liability insurance and would request a meeting with CN on this issue."

MOTION CARRIED.

Department of Transportation and Communications

Mr. Kelly reviewed the letter concerning the paving of the Logan's Road in Dutch Settlement.

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

"THAT this letter be received."

MOTION CARRIED

Date for Minor Variance Appeal

Mr. Kelly reviewed the letter requesting a minor variance and stated that the date for this appeal could be May 1, 1990.

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

"THAT May 1, 1990, be set as the date to hear the appeal for minor variance RE: Building & Development Permit Application #2119, "Beachland Restaurant Ltd.""

MOTION CARRIED

SUPPLEMENTARY CORRESPONDENCE

Councillor Meade asked if any of the supplementary items were actual emergencies in light of the motion passed to eliminate the supplementary agenda.

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

"THAT this letter from Metropolitan Authority be referred to the next Council Session."

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

File No. PA-SA-02-89 - Amendments to the Sackville Municipal Planning Strategy and Land Use By-Law RE: Application by Antoine Hanna

Mr. Kelly reviewed the report.

It was moved by Councillor Sutherland, seconded by Councillor Morgan:

"THAT April 30, 1990, at 7:00 p.m. be the date set for a public hearing on this issue."

MOTION CARRIED

Application No. DA-PD5-02-89-05 - Development Agreement - Donald Keddy - Expansion of the Birchlee Mobile Home Park, Harrietsfield

Mr. Kelly reviewed the report.

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

"THAT May 7, 1990, at 7:00 p.m. be the date set for a public hearing on this issue."

MOTION CARRIED

File No. PA-F&S-37-89 - Amendments to the Planning Districts 14 & 17 Municipal Planning Strategy and Land Use By-Law RE: Request by Mr. Bernard MacDonald

Mr. Kelly reviewed the report.

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

"THAT April 30, 1990, 7:00 p.m. be set as the date for a public hearing on this issue."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Capital Grants RE: Cultural and Recreational Facilities

Mr. Kelly reviewed the report.

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

"THAT Council approve the 1/6 funding for the Carter and Romans Recreation Committee in the amount of \$10,000; and also, the 1/6 funding for the Lake District Recreation Association in the amount of \$3,333."

Councillor Boutilier asked if the 1/6 grants go directly to the Executive with a recommendation to council. Warden Lichter stated that this was the procedure. Councillor Boutilier asked about two other requests for 1/6 funding that were not recommended for approval. He questioned if there was any exceptions to the rule that the facility must be on county owned land.

Warden Lichter stated that with the 1/6 funding the facility has to be on county-owned land. He stated that if this is turned over to the Municipality and leased back the 1/6 funding can be considered. He stated that this door has been left open for them.

Councillor Boutilier stated that this requirement seemed unreasonable.

Councillor Reid stated that Executive Committee was told when we borrow money to improve recreational facilities, it has to be on county-owned land. He stated that under this 1/6 policy, we borrow the money to advance and cannot borrow if the facility is not on county-owned land. He stated that this was the law.

Warden Lichter stated that this was the case even with the school pilot project in Eastern Passage. He stated in that case the legislation has to be changed to incorporate that facility.

Councillor Boutilier stated that he was not satisfied that the Riverview Community Centre was not granted the 1/6 grant.

Councillor Eisenhauer stated that this 1/6 grant also results from those projects that are also funded 1/3 by the province. He stated that the terms for the policy are set by the province and the county-owned land and 1/3 provincial funding are a part of the policy.

Councillor Deveaux stated that another criteria is that the project must be at least \$50,000. He added that the amendment to the legislation for the school would pertain only to the two pilot projects, the one in Chester and one in Eastern Passage.

Councillor Meade asked the number of defaults resulting in the levying of an area rate. Warden Lichter could not recall any.

MOTION CARRIED

\$15,000 Loan Request - Roman & Carter Subdivision - District 9

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

"That Council approve the loan request made by the District 9 Romans and Carter subdivision to construct recreational facilities on parkland in the subdivision owned by the Municipality. The loan plus interest, is repayable over a maximum 10 year period with Council reserving the right to levy an area rate in default of principal and/or interest repayment."

MOTION CARRIED

Temporary Borrowing Resolution Guarantee

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

"THAT the following Temporary Borrowing Resolution be approved: Metro Transit, \$1,810,000."

MOTION CARRIED

It was moved by Councillor Meade, seconded by Deputy Warden Baker:

"THAT the following Temporary Borrowing Resolution be approved: Solid Waste \$592,800."

MOTION CARRIED

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

"THAT the following Temporary Borrowing Resolution be renewed:

87-10 Sewer (MacPherson/Lockview Road) \$1,300,000."

MOTION CARRIED

Request For Grants

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

"THAT the following Grant requests be approved:

a) District Capital Grant, District 8, \$1,915, to supply and install 230 foot chain link fence 8 ft. high in North Preston Playfield.

b) General Parkland Grant and District Parkland Grant, District 10, \$1,700.00 each, to Dig trenches at suitable locations, remove fill, replace with 1" stone and drainage pipe, cover with 3" of loam and resod area to drain wet area in ball field, Musquodoboit Harbour.

c) District Capital Grant, District 14, \$2000 for renovations to the Grand Lake Volunteer Fire Hall."

MOTION CARRIED

REDISTRIBUTION COMMITTEE REPORT

Boundary: District 7 and 25

It was moved by Councillor Cooper, seconded by Councillor Ball:

"THAT Council approve the proposed realigned boundary between districts 7 and 25,

AND FURTHER THAT an application be submitted to the Nova Scotia Municipal Board to obtain approval of the boundary changes."

MOTION CARRIED

Boundary: District 8 and 9

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

"THAT Council approve the proposed new boundary line between districts 8 and 9,

AND FURTHER THAT an application be submitted to the Nova Scotia Municipal Board to obtain approval of the boundary changes."

MOTION CARRIED

Councillor Adams asked that staff provide both him and Councillor Randall with the population numbers for the new areas.

Councillor Sutherland asked why the boundary line was changed. Councillor Adams stated that the old boundary line was cutting some properties in half and with the changes clearly live in one boundary or another.

MOTION CARRIED

URBAN SERVICES COMMITTEE REPORT

Setting of Environmental Rate

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

"THAT the environmental rates for 1990 be as follows:

Full environmental services	\$.285
Reduced environmental	\$.210
Fire (Hydrant) Protection Only	\$.075
Herring Cove area (collection only)	\$.090
Herring Cove (collection and F.P.)	\$.165."

MOTION CARRIED

BUILDING INSPECTORS REPORT RE: LESSER SETBACK

Mr. Kelly reviewed the report.

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

"THAT Council approve the lesser setback of 12 feet, property at Highway # 7, Sheet Harbour, applicant Sheet Harbour Motel, to accommodate a protected entrance."

MOTION CARRIED

MEMORANDUM: 1990 GRANTS TO ORGANIZATIONS (SACKVILLE COMMUNITY

COMMITTEE)

Councillor Boutilier stated that it has been agreed by the Sackville Councillors not to take away the Councillors' Activity Funds but to increase the amount from the current \$1,500 to a maximum of \$2,500. He stated that this would be an additional \$1,000 per Councillor. He stated that the total \$25,000 would be subtracted from the \$210,000 Grants to Organizations.

He stated that this would help the community in that there are many individual requests beyond the Councillor's capability. He stated that there are many fine requests and there is an inability to fund many activities. He stated that this suggestion may be a means of help for community activities.

Councillor Eisenhower stated that he did not disagree with the principle, but was concerned with the impact on budgets. He stated that taking from the Grants to Organizations is assuming that the \$210,000 is a given. He stated that Council did not know the amount that would be available. He suggested deferring this item. He stated that Council should be concerned with first satisfying the needs of the community, and the wants secondly.

Councillor Merrigan stated that each year Council gives money away, and stated that maybe they shouldn't be. He stated that there are small organizations and worthwhile community activities that could use our help. He stated that a \$200 grant to some organizations is a great help. He stated that this motion would enable Councillors to look after their own communities in small amounts. He stated that doing this would really be getting the best value for the dollar. He stated if this would mean cutting back some of the larger grants to organizations, then do so, but help the little organizations first.

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

"THAT this item be deferred to the Executive Committee when it deals with grants to organizations."

Councillor Deveaux stated that he agreed with the intent, but it should be examined.

Councillor Bates stated that he did not see why Council should keep deferring a matter. He stated that each councillor runs into the same problem. He stated that the suggestion is an excellent one and would mean switching grants to accommodate smaller requests within the community.

Warden Lichter stated that we are not sure of how much of the \$210,000 has already been committed.

Councillor Eisenhower suggested that increasing the Activity Funds could bring about an abuse of the funds. He cautioned Councillors that raising the funds without further examination could bring about criticism. He suggested that there would have to be a control mechanism if the funds were increased.

Councillor Boutilier stated that he was assuming that \$210,000 is allotted to Grants to Organizations. He stated that many community groups do not apply and gave some examples.

MOTION DEFEATED 9 FOR
14 AGAINST

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

"THAT \$25,000 be removed from the budgeted amount of \$210,000 of the General Section of Grants to Organizations and Individuals, and further, that this \$25,000 be reallocated in the form of \$1,000 to each of the twenty-five (25) Councillors' Activity Funds to increase their Activity Funds from the current \$1,500 to \$2,500."

Councillor Poirier stated that a number of years ago, there was no activity fund. She stated that costs are escalating and stated that Councillors should be satisfied with the \$1,500. She stated that this is a matter of dollars and cents and if people want more, they should work for it.

Councillor MacDonald stated that this amount was the same money, but a reallocation of such.

Warden Lichter stated that there are some traditional grants and some will have to be left out. He stated that maybe it was time for it all to disappear.

Councillor Richards stated that it is difficult to divide the dollars to so many worthwhile organizations. He stated that he agreed with it in part, it was premature to pass this motion without seeing the final list of requests. He stated that this should be referred to the Grants Committee.

Councillor Deveaux stated that he was not opposed to the intent, but it would be premature to support the motion at this time.

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

"THAT this matter be referred to the Grants Committee."

Councillor Boutilier stated that Council will always have more requests than funds and stated that the small community based organizations should come first. He stated that when a councillor can see the benefit to the community, this is more satisfying than giving to the traditional, nation wide organizations. He stated that the community organizations should be considered first and the rest of the requests should be prioritized.

Councillor Sutherland stated that he was in support of the concept, but was interested to see how much of the funding was already committed.

Councillor McInroy stated that just because the matter is referred does not mean that the issue is lost forever.

MOTION CARRIED

COLE HARBOUR/WESTPHAL STEERING COMMITTEE

Mr. Kelly reviewed the memorandum.

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

"THAT the recommendation of the Cole Harbour/Westphal Steering Committee that a plebiscite be held for the electoral districts of 7, 23, 24 & 25 on May 5, 1990, and that the following question be put before the residents:

"Do you favour a formal Community Committee for the Cole Harbour/Westphal area consisting of the four (4) area Councillors?"

with no public meeting to take place, be approved by Municipal Council."

Councillor Richards stated that this situation has been studied by the committee for many months and brought before council for approval of the final wording for the plebiscite. He stated that a letter of explanation will be forwarded to each householder explaining the system proposed, the process and the explanation of the plebiscite.

Councillor Ball questioned what would happen if the residents were in favour of the concept, but not the actual make up of the committee, ie. wanted community residents on the committee. Warden Lichter stated that this would be explained in the letter that would be sent to each householder.

Councillor Meade asked how much this would cost and where the money would be coming from. Warden Lichter stated that this would come from the elections cost budget. Councillor Meade asked if it would cost \$25,000. Mr. Kelly informed that it would cost less than that.

MOTION CARRIED

It was moved by Councillor Richards, seconded by Councillor Bates:

"THAT G. J. Kelly be appointed as Returning Officer for the plebiscite of May 5, 1990."

MOTION CARRIED

HALIFAX COUNTY INDUSTRIAL COMMISSION MEMORANDUM

Warden Lichter stated that this item was withdrawn.

MOTION RE: USER FEES - COUNCILLOR RICHARDS

Councillor Richards stated that this would be presented at the next council session because they needed further staff support material.

SUNDAY OPENINGS - COUNCILLOR FRALICK

Councillor Fralick stated that in light that this item is being examined by the Executive Committee, that this be referred to the next council session.

ADDITION OF ITEMS TO THE AGENDA FOR APRIL 17, 1990

Land Fill Site - Councillor Poirier

Fire Advisory Board - Councillor Ball

Department of Transportation - Councillor Ball

Dog Control By-Law - Councillor McInroy

ADJOURNMENT

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

"THAT this session adjourn."
MOTION CARRIED

Council adjourned at 8:00 p.m.

COUNCIL SESSION

17 April 1990

PRESENT WERE:

Warden Lichter
Councillor Meade
Councillor Poirier
Councillor Fralick
Deputy Warden Baker
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Horne
Councillor Merrigan
Councillor Morgan
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Councillor Richards
Councillor McInroy
Councillor Cooper

ALSO PRESENT:

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

SECRETARY:

Twila Simms

Warden Lichter called the meeting to order at 6:00 p.m. with the Lord's Prayer. Mr. Kelly called the Roll.

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

"THAT Twila Simms be appointed as Recording Secretary."
MOTION CARRIED

APPROVAL OF MINUTES

It was moved by Councillor Harvey, seconded by Councillor Sutherland:

"THAT the minutes of the February 26, 1990 Public Hearing be approved as circulated."
MOTION CARRIED

It was moved by Councillor Meade, seconded by Councillor Ball:

"THAT the minutes of the March 22, 1990 Public Hearing be approved as circulated."
MOTION CARRIED

It was moved by Councillor Harvey, seconded by Councillor Horne:

"THAT the minutes of the MARCH 6, 1990, Council Session be approved as circulated."
MOTION CARRIED

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

"THAT the minutes of March 19, 1990 Special Council Session be approved as circulated."
MOTION CARRIED

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

"THAT the minutes of March 20, 1990 Council Session be approved as circulated."
MOTION CARRIED

It was moved by Councillor Ball, seconded by Councillor Sutherland:

"THAT the minutes of MARCH 26, 1990 Public Hearing be approved as circulated."
MOTION CARRIED

LETTERS AND CORRESPONDENCE

Department of Transportation and Communications

Mr. Kelly reviewed the letter concerning the County's request for paving of Sprucewood Avenue, Timberlea under the 15 year policy.

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

"THAT this letter be received."
MOTION CARRIED

Department of Health and Fitness

Mr. Kelly reviewed the letter concerning Sewage Treatment Plants - Fresh Water Bodies and the new policy.

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

"THAT this letter be received."

Councillor MacDonald asked where this would leave Mr. Parsons. Councillor Eisenhauer stated that Mr. Parsons has not applied for the joint certificate yet and has been waiting for this decision.

MOTION CARRIED

Metropolitan Authority

Mr. Kelly reviewed the letters concerning the Transit Cost Sharing By-Law.

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

"THAT Council defer dealing with the recommendations until we receive some understanding as to any new arrangements relative to para-transit."

MOTION CARRIED

Request for Paving - MacIntosh Road

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

"THAT council request Department of Transportation to have Orchard Drive, MacIntosh Road, Woody's Land and the balance of Hamilton Drive, all under the 15 year paving policy."

MOTION CARRIED

Mrs. Carol Versteeg - Halifax-East Hants Federation of Agriculture

Mr. Kelly reviewed the letter inviting members to tour several of the farm businesses in the area.

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

"THAT this letter be received"

MOTION CARRIED

Members agreed that Warden Lichter should try to arrange a time and then see how many would be able to attend.

Blue Mountain Resources Quarry near Kearney Lake

Mr. Kelly reviewed five (5) letters stating their opposition to the Quarry.

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

"THAT these five (5) letters be received."
MOTION CARRIED

SUPPLEMENTARY CORRESPONDENCE

Hilchie Septic Tank Service Ltd.

Mr. Kelly reviewed the letter expressing concern over the County's recommendation to purchase a PUmper Truck to transport sludge from the treatment plants.

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

"THAT this letter be received."
MOTION CARRIED

The "Jigger" Mott Fun & Fitness Walk

Mr. Kelly reviewed the letter asking that Council be introduced to "Jigger" and proclaim Saturday, May 12 as "Jigger" Mott Day.

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

"THAT this letter be received."
MOTION CARRIED

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

"THAT Council be introduced to "Jigger" Mott prior to the May 1, 1990 Council Session."
MOTION CARRIED

Learning Disabilities Association of Nova Scotia

Mr. Kelly reviewed the letter expressing concern over the School Board Funding.

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

"THAT this letter be received."
MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Application No. DA-F&S-10-89-17 - Application by Frank Parsons to enter into a Development Agreement to Permit an Expansion to an existing Upholstery Repair Business on his property - East side of

the Fall River Road

Mr. Kelly reviewed the report.

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

"THAT a public hearing be held on May 7, 1990, at 7:00 p.m. to deal with this issue."
MOTION CARRIED

Application No. DA-FEN-05-90-16 - Application by Jim and Karen Corbett to enter into a Development Agreement to Permit an Expansion to the Atlantic Playground Amusement Park

Mr. Kelly reviewed the report.

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

"THAT May 7, 1990, 7:00 p.m. be set as the date for the public hearing to deal with this issue."
MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Urban Services Report RE: Sludge Disposal

Mr. Kelly reviewed the recommendation.

Councillor Boutilier stated that the Executive Committee agreed that the Engineering Department would report back yearly to the Committee to ensure that the savings projected were achieved. He stated that this should be included. He stated that because of the savings factor, he was in favour.

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

"THAT Council endorse the recommendation to purchase the necessary equipment and truck, with additional staff to operate the equipment, for the purpose of hauling sludge from the County's treatment plants and report back to the Executive Committee on an annual basis."

Councillor Eisenhauer stated that he was not convinced that the savings would be as great as they appeared.

Councillor MacDonald stated that he was sceptical and he was not convinced that there would be any substantial savings. He stated that the County should not be competing with the private sector and

was not in favour of the motion.

Councillor Boutilier stated that at the Executive Committee they were told that \$400-\$500,000 savings over 8 years would be the worst scenario, but may be much higher. He stated that the Executive Committee had agreed that the county could try this because of the savings factor and since Engineering would be reporting regularly, if the savings were not being achieved, then the county could go back to its present procedure.

MOTION CARRIED

Request for Property Tax Exemption

Mr. Kelly reviewed the request.

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

"THAT Council approve an amendment to the Property Tax Exemption By-Law to include lands owned by the Sackville and District Volunteer Fire Department used for community recreational purposes."

MOTION CARRIED

Request for Grants

It was moved by Councillor Meade, seconded by Councillor Horne:

"THAT Council approve the following Grants:

a) District Capital Grant, District 17, \$5,000, for roof replacement on fire station, Lakeview, Windsor Junction, Fall River Volunteer Fire Department.

b) District Capital Grant, District 1, \$1,000, for equipment for St. Margarets Sailing Club."

Councillor Boutilier questioned the grant for District 1. He asked if the policy that the organization be on county-owned land applied to the capital grants as well as the 1/6 grants policy.

Warden Lichter stated that it was decided by the Executive Committee that this was not the first time that a grant such as this would be awarded and the needs were examined and the Executive decided to go somewhat beyond the strict wording of the policy.

MOTION CARRIED

Memo RE: Application for Arcade License - 602 Sackville Drive

Mr. Kelly reviewed the recommendation.

It was moved by Councillor Harvey, seconded by Councillor Boutilier:

"THAT Council oppose the application for an arcade at 602 Sackville Drive."

Councillor Cooper asked if this would be open for appeal since the zoning was appropriate for this kind of use.

Warden Lichter stated that Council has been asked for its opinion on the application and the final decision was up to the Department of Consumer Affairs.

MOTION CARRIED

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORT

Sewer Connection Agreement - Musquodoboit Valley Memorial Hospital/Musquodoboit Valley Home for Special Care Association and the County of Halifax

Mr. Kelly reviewed the recommendation.

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

"THAT Council approve the Sewer Connection Agreement between the Musquodoboit Valley Memorial Hospital/Musquodoboit Valley Home for Special Care Association and the County of Halifax and that a holding facility be built on the East side of the Musquodoboit River to hold 2 days of effluent from the hospital and that this be cost shared 50/50 with the county with the 50% of the cost of the lagoon coming from the \$50,000 payment by the hospital."

Councillor Cooper asked about the plans. Warden Lichter stated that the Executive had an opportunity to examine the plans and the hiring or qualified personnel to maintain the station.

Mr. Wdowiak stated that the personnel would be hired by the hospital and they would be running a pumping station not a treatment plant.

Councillor Reid stated that the operating cost would be recovered under the environmental rate for the Home for Special Care and the hospital's 10%.

MOTION CARRIED

REPORT OF THE DEVELOPMENT OFFICER

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

"THAT this report be received."
MOTION CARRIED

APPOINTMENT OF DEVELOPMENT OFFICERS

Mr. Kelly reviewed the memorandum.

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

"THAT Ms. Sharon Bond, Ms. Joan MacKinnon and Mr. Paul Morgan be appointed as Development Officers and all previous appointments in this regard be rescinded, effective May 1, 1990."

Councillor Bayers asked if this item should wait until Ms. Spencer comes back. He also asked if these positions went to the competition.

Mr. Meech stated that the positions were vacant for some time and it was advertised internally and externally. Warden Lichter stated that from the Department Head level and above would be councils responsibility, but anything below is a staff function.

Councillor Reid stated that one month ago we appointed Ms. Spencer as a development officer in the interim. He stated that with decentralization it may be better to keep Ms. Spencer as a development officer.

It was agreed by Councillor Deveaux, seconded by Councillor Sutherland that the motion read:

"THAT Ms. Sharon Bond, Ms. Joan MacKinnon and Mr. Paul Morgan be appointed as Development Officers and all previous appointments in this regard, with the exception of Ms. Valerie Spencer, be rescinded effective May 1, 1990."
MOTION CARRIED

BUILDING INSPECTOR'S REPORT RE: LESSER SETBACK

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

"THAT Council approve the lesser setback of 15', property

located at Owl's Head Harbour Road, Owl's Head, Applicant Louise Devison, as a result of the topography of the lot."

MOTION CARRIED

LAWRENCETOWN MUNICIPAL PLANNING STRATEGY

Councillor Sutherland asked what Council was expected to do this evening concerning this issue.

Warden Lichter stated that Council can either deal with this in detail or defer it to a special session or another council session.

Councillor Sutherland stated that Council has just received the report as part of the supplementary and has not had an opportunity to go over it.

Councillor Bates stated that he agreed that council could not do anything with the report tonight and should have a special session.

Councillor Morgan stated that the matter is familiar to all and upon going through the report he was surprised that staff would appear to tramp on the wishes of the public that made presentations in recommending passage of this.

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

"THAT this item be deferred to a special session."

Warden Lichter stated that is the intent that the land use by-law for the subdivision by-law could be approved by Council and that immediately public consultation could be addressed. He stated that once before, council changed the plan after listening to the public presentations at the public hearing and sent it to the minister for his signature. The minister had indicated that he would not sign because the changes were made to the plan without going back to the public. He stated that this is what they wanted to avoid. He stated that many issues brought to the public hearing require plan amendments, not land use by-law amendments. He stated that within 90 days they would undertake the consultation process and address the compromises that could be made. He stated that it was not the intention to tramp on anyone's wishes.

MOTION CARRIED

USER FEES

Councillor Richards stated that when this item was previously dealt with by council, there were many members of council were supportive of some of the user fees, but not all and when the motion wen

through to support all or none, may voted against the motion. He stated that because of the financial constraints we find it important to review every avenue of additional funding and determine whether fees should be adjusted. He stated that a report from staff on the amount of revenue that could have been generated from user fees was distributed with the supplementary agenda and shows that over the last 6 months, \$41,000 could have been generated. Councillor Richards stated that this is the slow 6 months of the year and stated that the projection of \$90,000 per year was accurate.

It was moved by Councillor Richards, seconded by Councillor Bates:

"THAT a public hearing be held on this issue May 14, 1990."

Councillor Bates asked if the last public hearing was voluntary. Mr. Butler stated that changes would mean amendments to the subdivision by-law and rezoning and development agreements requires a mandatory public hearing. He stated that 1/2 was mandatory, 1/2 was voluntary.

MOTION CARRIED

Councillor Cooper stated that some of the suggested fees should be adjusted. He stated that the rezoning and development agreements take up a large portion of staff time and require a lot of legal wording and time. He stated that these two areas should be increased.

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

"THAT the fee schedule for rezoning and development agreements be changed to \$150.00."

Councillor Deveaux asked if it was necessary to advertise the fees. Warden Lichter stated that it would be important to advertise what we intend to do.

Councillor Boutilier asked how much planning went into the fee schedule. Mr. Butler stated that comparison was done with the surrounding municipalities and many are either the same or very close. Mr. Butler also stated that he would be comfortable advertising the fees.

Councillor Bates stated that staff has gone through considerable comparison and came up with this schedule. He stated that this was passed by the Executive Committee and the only reason why it did not pass was because all were dealt with in one motion.

Councillor McInroy stated that because of the time that has passed,

council should be given a staff report and the opportunity to discuss this before a public hearing.

It was agreed by the mover and seconder to change the motion to read:

"THAT council be provided with a current staff report and have the ability to review the report before the public hearing on May 28, 1990."

Councillor Richards stated that this would enable council to make adjustments to the fees before the public hearing.

MOTION CARRIED

LAND FILL SITE - COUNCILLOR POIRIER

Councillor Poirier stated that she had a copy of a letter that she found very disturbing. She stated that Mr. Stan Havill wrote to Metro Authority and informed them that he has 600 acres at Greenhead Road in Lakeside that may be an appropriate site for the next landfill site. She stated that a member of the Committee supplied her with a copy of this letter. She stated that the County does not want another land fill site. She stated that the letter is not insignificant and it will be considered, according to Mr. Havill's response, when the committee considers sites in July or August of this year.

Councillor Poirier stated that the land at Greenhead Road is beautiful land and has many streams. She stated that she realized that the landfill has to go somewhere, but she stated that the County has had their turn. She stated that under no circumstances should this site be in district 2.

Warden Lichter stated a group is studying the issue and will be making recommendations and any motions that exclude Halifax County could be dangerous in that nothing could stop the cities and Bedford from doing the same thing.

Deputy Warden Baker stated that he, too, realized that the landfill site has to go somewhere, but the people of his district will determine whether or not it does. He stated that the run-off from the Greenhead Road location may be contrary to the policy of the new policy of the Department of Health and Fitness.

Councillor Cooper stated that he did not think it was appropriate for Council to say that the land fill should not go in the County. He stated that there should be no landfill without the complete plan for disposal. He stated that we have to have both. He stated that there will still be some residue left over, but we have to be

prepared to address the whole issue to minimize the impact of the garbage produced and where the residue does the least amount of harm.

Councillor Ball stated that this discussion was interesting in that Sackville is disgusted with the landfill site and is suggesting that we ignore the letter. He stated that Councillor Cooper has no fear that the landfill will be in the middle of the Forest Hills Subdivision. He suggested that council take some plan of action. He stated that Council should also be made aware of any other sites that will be considered so that the communities are not kept in the dark on this issue and can take action. He stated that he supported Councillor Poirier in getting this information on the table and giving the community a chance to know what is going on. He stated that he did not disagree with the process taking place, as long as council and the people are informed.

Councillor Deveaux stated that he agrees with the committee that has been set up to examine this issue and any motion to omit Halifax County would be premature at this time.

Councillor Bates stated that as a representative on the Metro Authority, he did not receive a copy of the letter.

Councillor Poirier stated that she wanted to go on record as the representative of Beechville, Lakeside and Timberlea, that she and the residents are strongly opposed to landfill in Halifax County and District 2, and stated that she will be informing the residents at the next ratepayers association meeting.

Councillor Ball stated that Metro Authority hired consultants on previous issues, only to find that the consultants did not fulfil their responsibility and examine all areas. He stated that he did not have faith that the Authority would do so in this case either. He stated that any information made available to the task force should be made available to everyone.

FIRE ADVISORY BOARD - COUNCILLOR BALL

Councillor Ball stated that a report was distributed concerning the radio license fees instituted by the federal government. He stated that this fee was \$100 and was for the county and fire departments. He stated that the biggest impact of this new "user-pay" system is on the fire departments. He stated that based on the equipment this bill is \$20,000 for the county and could be as much as \$56,000. He stated that Mr. Turpin has identified three areas of concern: (1) when the current bill is to be paid, (2) how the cost should be distributed, and (3) action to protest the increase.

Councillor Ball stated that the FCM, UNSM has to address this and

also this council to defend the volunteer fire departments. He stated that the municipality should fight this and should not pay the bill.

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

"THAT we send a letter to the Department of Communications, both provincially and federally, and also to the MP's involved to protest these fees."

Councillor Fralick stated that he was in receipt of a letter from the Seabright District Fire Department opposing this new fee stating that volunteer fire departments have a hard enough time now to make ends meet without this fee.

Warden Lichter stated that all fire departments are in the process of writing to the minister responsible.

Councillor Ball stated that although the bill has been extended to March 1991, he questioned how much the bill would be in 1992, etc, especially when the 911 system goes into affect. He stated that we should not pay - period.

Councillor Adams asked the GST effect on this. Warden Lichter stated that this will have to be paid by the municipality and claimed back to the federal government. He added that one full time person would be required to administer the claim backs.

Councillor Cooper stated that he agreed with Councillor Ball and that the March 1991 date would give the government time to send out amended bills which could be much higher.

MOTION CARRIED

DEPARTMENT OF TRANSPORTATION - COUNCILLOR BALL

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

"THAT Lockwood Ave., Iris Ave., Primrose Ave., and Arbutus Ave be requested to be paved under the 15 year program as they have been in existence for 25-30 years."
MOTION CARRIED

DOG CONTROL BY-LAW - COUNCILLOR MCINROY

Councillor McInroy stated that there is some concern with a particular aspect of the wording in the present by-law. He stated that even when neighbours are called in as witnesses, which is very difficult, the cases are defeated because of the definition of a neighbourhood. He requested that Mr. Cragg take this concern into

consideration and bring a report to the Executive Committee within the next month or so.

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

"THAT this be referred to the Executive Committee within one month so Mr. Cragg has the opportunity to review this matter."

MOTION CARRIED

URGENT AGENDA ITEMS

Upgrading of Lockview Road (Councillor Snow) - Councillor Randall

Councillor Randall stated that Councillor Snow is very concerned about the deplorable condition of Lockview Road and that nothing has been done with the road for years. He stated that the road should be upgraded.

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

"THAT we send a letter to the Minister requesting information as to what may be planned for upgrading of the Lockview Road."

MOTION CARRIED

Department of Transportation, Highway 102 - Deputy Warden Baker

Deputy Warden Baker stated that he was concerned over the tragedy that occurred last Thursday on Highway 102 near Bedford. He stated that there have been a number of accidents and deaths at this location and the speed posted is 90 km/h.

It was moved by Deputy Warden Baker, seconded by Councillor Harvey:

"THAT we send a letter to the Minister of Transportation urging him and his department to take immediate measures to reconstruct that extremely dangerous section of Highway 102 near Bedford."

MOTION CARRIED

Water Churchill Estates - Councillor Ball

Councillor Ball stated that there have been a number of problems with the water system at the private owned utility of Mr. Innes. He stated that it has been stated that there is a power surge that causes the pumps to break down and the people of Churchill are left without water for long periods of time.

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

"THAT we inquire with the Public Utilities Board what the problem is, and if it is a power surge, inquire with NSPC if they are doing something to rectify the grid system that causes the problem."

Councillor Ball stated that there are 200 homes affected.

MOTION CARRIED

ADDITION OF ITEMS TO MAY 1, 1990 SESSION

Councillor Richard stated that he had the privilege to attend the 25th anniversary of Archbishop Hayes earlier this evening. He also stated that this was Councillor Benjamin Bates 50th birthday.

Councillor Cooper - Vandalism and Policing Service

Councillor Cooper - Expansion of High School in Eastern Sub-system.

Councillor McInroy - After Hours/Weekend By-Law Enforcement

IN-CAMERA

It was moved by Councillor Morgan, seconded by Deputy Warden Baker:

"THAT this session move in camera."

MOTION CARRIED

It was agreed that council come out of camera.

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

"THAT Council approve the recommendation of the Rehab Centre Board relative to the appointment of Administrator - Rehab Centre."

MOTION CARRIED

ADJOURNMENT

Council adjourned at 9:30 p.m.

PUBLIC HEARING

9 APRIL 1990

PRESENT WERE: Warden Lichter
 Councillor Meade
 Councillor Poirier
 Councillor Fralick
 Deputy Warden Baker
 Councillor Deveaux
 Councillor Adams
 Councillor Randall
 Councillor Bayers
 Councillor Smiley
 Councillor Reid
 Councillor Horne
 Councillor Merrigan
 Councillor Morgan
 Councillor Eisenhauer
 Councillor MacDonald
 Councillor Boutilier
 Councillor Harvey
 Councillor Sutherland
 Councillor Richards
 Councillor McInroy
 Councillor Cooper

ALSO PRESENT: Mr. G. J. Kelly, Municipal Clerk
 Mr. R. G. Cragg, Municipal Solicitor
 Mr. Jim Donovan, Planner
 Mr. Rick Spanik, Planner

SECRETARY: Twila Simms

Warden Lichter called the public hearings to order at 7:00 p. m. with the Lord's Prayer. Mr. Kelly called the Roll. Warden Lichter then proceeded to explain the procedure for the hearings.

It was moved by Deputy Warden Baker, seconded by Councillor Fralick:

"THAT Twila Simms be appointed Recording Secretary."
MOTION CARRIED

ZA-1&3-04-90 - Application by the Municipality to amend the Land Use By-law for Planning District 1 and 3 to permit recycling depots in the MU-1 and MU-2 Zones

Mr. Jim Donovan presented the application stating that the application has been initiated by the Municipality in response to a request by the St. Margaret's Area Recycling Team (SMART) to establish a community-based recycling depot on part of the Hubley Centre lands, owned by the Sobeys food group.

Among the industrial uses which are not permitted within the Mixed Use "A" Designation are salvage yards. Salvage yards may only be considered subject to rezoning to an I-2 (Salvage Yard) Zone. Although recycling depots are treated separately from salvage yards in many of the Municipality's land use by-laws, the by-law for Planning Districts 1 and 3 does not make this distinction. As a result, recycling depots are defined in the same sense as salvage yards and are, therefore, not permitted.

It should also be recognized that recycling depots have the potential to become larger operations depending on the area served, the degree of citizen participation, and the range of materials they accept.

The proposed amendments would permit recycling depots as a separate use within the MU-1 and MU-2 zones by providing a definition which would distinguish this use from salvage yards. This would enable SMART or any other recycler to establish recycling depots at any location within the MU-1 and MU-2 zones. The recommended definition would be the same as that used in other municipal land use by-laws and would require recycling activities to be carried out within a building.

Mr. Donovan then showed slides of the site.

Questions from Council

Councillor Sutherland asked if this would put any restrictions on salvage yards. Mr. Donovan stated that they are currently not permitted in this plan and this item is completely different.

Speakers in Favour

None.

Speakers in Opposition

Mr. Peter Steele, Haliburton Hills, stated that he was worried about the amount of debris that the depot would collect especially by frustrated people that may not live in the vicinity. He stated that he would like more investigation as to what the rezoning will have to the surrounding areas and how they plan to take care of any wastes from the area (contingency plan).

Warden Lichter stated that there would be no open storage of any materials. Mr. Donovan clarified that the "glass crusher" was a manual one, and operated from inside the building. Warden Lichter stated that this should have no affect on the surrounding area. He stated that the depot would be run by volunteers who have a strong concern for the environment and it would be unlikely that