

SUPPLEMENTARY CORRESPONDENCE

UNSM

Mr. Kelly reviewed the memo outlining a correction in officers and executive committee.

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

"THAT this letter be received."
MOTION CARRIED

RCMP

Mr. Kelly reviewed the letter concerning the break and enters in District 16.

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

"THAT this letter be received."
MOTION CARRIED

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

"THAT this be referred to the Sackville Community Committee."
MOTION CARRIED

APPOINTMENT OF DEPUTY WARDEN

Warden Lichter suggested that the appointment take place at the September 4, 1990 session as the appointment has to be for the full year term.

Councillor Richards asked if there was a way to have the position filled until November to coincide with elections.

Mr. Cragg stated that the Municipal Act is virtually silent about instances of this nature and the By-law makes provision for the Warden, but not Deputy Warden. He stated that the term shall be for 1 year. He stated that whoever is elected shall have to serve a one year term. Mr. Cragg stated that the by-law could be amended to allow for circumstances such as this.

Councillor McInroy asked if an interim Deputy Warden could be appointed. Mr. Cragg stated that there is no clear authority to do so.

Councillor Harvey stated that the by-law needs attention in this area and asked if the position could remain vacant until November.

Warden Lichter stated that he will be going away in September and stated that there would have to be a Deputy to take his place in case of an emergency.

Mr. Meech stated that the person elected on September 4 would be Deputy Warden and at the end of the 12 month term, Council could decide not to re-elect until after the election.

Councillor Boutilier suggested that the by-law be amended to indicate that this would be a 14 month term for this year only.

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

"THAT Council deal with the election of Deputy Warden at the September 4, 1990 Session."

MOTION CARRIED

Councillor Richards suggested that the by-law be amended to state that the Deputy Warden position expires in November.

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

"THAT the By-law be amended to indicate that the Deputy Warden position expires in November."

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Application by S. A. White to amend the Cole Harbour/Westphal municipal planning strategy and land use by-law

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

"THAT the application fee be waived."

MOTION CARRIED

DATE FOR MINOR VARIANCE APPEAL

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

"THAT the minor variance appeal of Mr. George Squires, Cole Harbour be heard on September 18, 1990 at 7:00 p.m."

MOTION CARRIED

REPORT OF THE DEVELOPMENT OFFICER

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

"THAT this report be received."
MOTION CARRIED

REQUESTS FOR GRANTS: DISTRICTS 16, 19, 20, 21, 22.

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

"THAT a District Parkland Grant of \$1,831.06 (divided equally by the five Sackville districts) be granted for parkland improvements."
MOTION CARRIED

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

"THAT a District Capital Grant of \$2,500 (divided equally by the five Sackville districts be granted for improvements to the dock area and purchase of an additional canoe for the Sack-A-Wa Canoe Club."
MOTION CARRIED

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

"THAT a District Capital Grant of \$1 000 (divided equally by the five Sackville districts) be granted for the purchase of a landing mat for the Taiso Gymnastics Club."
MOTION CARRIED

NOMINATIONS, HALIFAX COUNTY REGIONAL HOUSING AUTHORITY BOARD

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

"THAT Helen Mosher be nominated."

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

"THAT Mr. Sinclair Williams be nominated."

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

"THAT Nancy Stoddard be nominated."

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

"THAT nominations cease."
MOTION CARRIED

UNSM UNION DUES.

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

"THAT this letter be received."
MOTION CARRIED

Councillor Richards asked for an explanation of the increase of 28.6%. Warden Lichter read page 3 of the memorandum.

Warden Lichter questioned what may happen if half the municipalities quit the union, would the other half be required to pay for the half that quit.

Councillor Boutilier stated that this is hostage. He stated that he has often questioned what the UNSM does and questioned motions that are always anti-this and anti-that. He stated that a 28% increase over last year is ridiculous.

Councillor MacDonald stated that it is ironic that the union was created by the province and now the province won't help the municipalities union to survive. He stated that Council should not support that amount because we cannot afford it.

Councillor Fralick stated that the UNSM serves a useful purpose and the fact that the province will be reducing funding to nil over the next five years is causing the problem. He stated that this should be taken to the conference and discussed at that time.

Councillor Sutherland stated that it was difficult for the province to justify the cutbacks and stated that the points raised here indicated that a majority is opposed to cutting back. He stated that 28% is too high.

Councillor Reid stated that cutbacks in funding from the province is becoming common in all instances. He stated that if we as a municipal unit are going to be paying 20% of the cost of operations then we should have 20% of the representation.

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

"THAT Council ask that a UNSM representative meet with the executive committee for a recommendation back to Council."
MOTION CARRIED

WHEELCHAIR ACCESSIBILITY FOR THE PHYSICALLY CHALLENGED IN OLDER HALIFAX COUNTY SCHOOLS - Councillor Smiley

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

"THAT a letter be sent to the Halifax County-Bedford District School Board asking what their policy is for accessibility for the physically challenged and if they have an objective or an intention addressing the serious shortcoming in our attention to the needs of our citizens who must use wheelchairs to give them freedom to contribute to the community as we all do, in view of the fact that in rural communities schools play a double role for recreational and other functions."
MOTION CARRIED

MINOR VARIANCE APPEAL - 7:00 P.M.

Ms. Gail Bowen presented the report stating that Mr. William Harding applied for a Minor Variance on July 13, 1990 to construct a shed. The proposal was to build the shed six (6) inches from the right yard rather than the required four feet.

She stated that the rear of Mr. Harding's property slopes off considerably and this appears to be the only suitable place for a shed.

Councillor Harvey asked if construction had begun on this. Ms. Bowen stated that he had started, but once the county asked him to stop, he did. Councillor Harvey asked if this was on railway ties if this would be legal and the minor variance would not be required. Ms. Bowen indicated that was correct.

Councillor Boutilier asked if this was built on a concrete slab. Ms. Bowen stated that this would be a question for Mr. Harding.

Councillor Bates asked if there was any objection from the neighbour. Ms. Bowen stated that she has a letter stating that the neighbour is not opposed.

Mr. Harding stated that the shed is wooden and is 10' x 12' and stated that he put it there on the lot because of the slope in the backyard. He stated that the shed is not on a foundation, but on 2 X 6's on the ground. He stated that it is the only place to put it.

Councillor Harvey asked the sequence of events.

Mr. Harding stated that he started to construct and the county came along and requested him to stop. He stated that he was not aware of the need for a minor variance and had never heard of one before this time. Mr. Harding stated that he was unaware that he needed a permit.

Councillor Poirier asked if the backyard could be filled in. Mr. Harding stated no and Councillor Poirier asked why. Mr. Harding stated that his yard was just landscaped and he could not afford to fill in the back yard and re-do the landscaping. He stated that the slope of the back yard is too steep.

Paul Morgan stated that whether the shed was on a foundation or on ties, the minor variance would still be required.

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

"THAT the minor variance be approved."
MOTION CARRIED 11 FOR
7 AGAINST

DEPARTMENT OF TRANSPORTATION - Councillor Fralick

Councillor Fralick stated that in 1986 Council requested that intersection of Highway 3 and 333 in Tantallon be upgraded with the removal of signs blocking sight distances, improved lighting, widening and repainting of the intersection. He stated that so far only a flashing light has been placed at the intersection.

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

"THAT Council send another letter requesting that the Department of Transportation tell us when the other projects will be completed."
MOTION CARRIED

DEPARTMENT OF TRANSPORTATION - Councillor Adams

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

"THAT Council write a letter to the Department of Transportation concerning the paving of Crane Hill Road that services Districts 7 and 8 as there have been two petitions and it is over 15 years old."

Councillor Bates stated that he has had calls on this and stated that it is a steep hill and treacherous during the winter. He

stated that they have talked to MLA's, had two petitions and it has been 30 years since they took the street over and stated that he wants some movement on this.

MOTION CARRIED

URBAN SERVICES COMMITTEE REPORT

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

"THAT a budget of \$350,000 be provided for the upgrading of Storm Drainage Facilities at Munroe Subdivision in Beechville, and that this amount be recovered over five years from the Environmental Budget."

MOTION CARRIED

URGENT AGENDA ITEMS

Four Way Stop - Councillor Poirier

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

"THAT Council make application to the Department of Transportation to investigate providing a four way stop at Parkdale Avenue and Maple Grove Avenue in Parkdale Subdivision."

MOTION CARRIED

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

"THAT Council again request the Department of Transportation to prohibit trucks from the industrial park using the highway through the village of Timberlea and Lakeside."

MOTION CARRIED

Department of Transportation - Councillor Merrigan

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

"THAT Council submit a petition and request for paving of Galloway Drive under the 15 year program."

MOTION CARRIED

Department of Transportation - Councillor Richards

Councillor Richards stated that at the intersection of Colby Drive and Delta there have been a number of near misses of pedestrians

and two children have nearly been struck by cars. He stated that he has spoken to the Department and with the MLA in regard to traffic control and three way stops, with no recommendations. He stated that he is concerned for the safety of the children. He stated that there is a day care on one side and a pool and tennis facility on another and stated that the streets are used throughout the school term.

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

"THAT a letter be sent to the Minister of Transportation with a copy to the local MLA stating that some control mechanism be placed at the intersection of Colby Drive at Delta Drive, Cole Harbour to allow pedestrians to safely cross the road."

MOTION CARRIED

Traffic Cole Harbour Road - Councillor Cooper

Councillor Cooper stated that safety and lives are paramount in this issue. He stated that Sunday afternoon he came across an accident where a little boy's bicycle was under the wheels of a car. He stated that so far the Department of Transportation has been unable to accommodate him. He stated that Cole Harbour Road is no longer a rural highway as it serves 26,000 and stated that traffic must be controlled.

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

"THAT a letter be written to the Minister of Transportation asking him to use his powers and regulations to find some means to ensure the safety of residents, or drop the speed limit to 50 between Caldwell Road and Bisset Road."

MOTION CARRIED

ADDITION OF ITEMS FOR THE SEPTEMBER 4, 1990 SESSION

Councillor Merrigan: Beaverbank Road

Councillor Ball: Halifax Harbour Clean-up

ADJOURNMENT

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

"THAT this session adjourn."

MOTION CARRIED

The meeting adjourned at 7:30 p.m.

PUBLIC HEARING

27 August 1990

THOSE PRESENT: Warden Lichter
 Councillor Meade
 Councillor Poirier
 Councillor Fralick
 Councillor Ball
 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 Cooper

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

SECRETARY: Mrs. Twila Simms

.....
Warden Lichter called the meeting to order at 7:00 p. m. with the Lord's Prayer. Mr. Kelly called the Roll.

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

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

ZA-SA-27-89; ZA-CH/W-28-89; ZA-TLB-29-89; ZA-EP/CB-30-89; ZA-LM-31/89; ZA-1&3-32-89; ZA-PD5-33-89; ZA-F&S-34-89; ZA-8&9-35-89; ZA-FEN-53-89 - "Livestock"

Mr. Bill Butler presented the staff report stating that the 10 Land Use By-laws relative to the keeping of livestock in accessory buildings in relatively restrictive residential zones. He stated that the intent is to provide clarification where one may and may not keep livestock. He stated that the provisions themselves are modeled after the 15/18/19 Land Use By-law. He stated that in addition, the amendments also include a definition of livestock as horses, cows, pigs, sheep, goats and fowl. He stated that the staff report identifies zones where you may keep livestock. He stated only the R-1 and R-2 zones are restricted.

Councillor Cooper asked if the present plan and by-law protects those who presently do have livestock in this zone. Mr. Butler stated that they would become non-conforming uses.

Councillor Cooper asked about the concerns with the Cole Harbour Rural Heritage Society. Mr. Butler stated that this is zoned P-2 and there should be no cause for concern.

Speakers in Favour

None.

Speakers in Opposition

None.

Decision of Council

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

"THAT these amendments as presented be approved."

MOTION CARRIED

Amendments to the Municipal Planning Strategy and Land Use By-law for Lawrencetown

The Warden listed those Councillors who were present at the previous public hearings and Council decision and who are permitted to vote on the proposed amendments. The Warden stated that six items, and nothing else, are under discussion.

Mr. Bill Butler stated that amendments are proposed in five areas concerning the Lawrencetown plan and by-law. He stated that on the evening Council adopted the plan, Council approved a resolution directing PAC to carry out public participation with respect to six specific issues which were the subject of discussion during the public hearing process. Mr. Butler outlined the public participation process.

Mr. Butler then reviewed the six items and five amendments in the areas of central servicing, R-1 zoning, Highway 207 road frontage, watercourse setbacks, existing commercial/industrial uses and new commercial/industrial uses.

Speakers in Favour

None.

Speakers in Opposition

Mr. Don Grady introduced and thanked the members of the Lawrencetown Citizens Committee. He thanked members of Council for supporting the principle of community controlled and defined planning. He also thanked members of Council who opposed the principle of citizen control and the fundamental elements of the Lawrencetown plan.

Mr. Grady called to Council's attention a few problems in the ways in which this has proceeded. He stated that the way in which the amendments have been handled violates good procedure. He stated that Council has taken their plan from them. He stated that the plan was approved on May 15 and between January 16 and May 15 the plan was out of the hands of the people of Lawrencetown. He stated that the people who came to the public hearing asked that the plan be sent back to the community. He stated that he has had the opportunity to talk to some members of Council and staff as to why the plan was not sent back to Lawrencetown and why the LCC and citizens were ruled out of the process. He stated that he has been told that it was felt it would create "a ruckus" in Lawrencetown. He stated that staff told him that he did not have a role in this.

Councillor Richards asked that Mr. Grady get to the opposition to the amendments.

Mr. Grady stated that questions he raises have to do with the failure of Council to deal with the community elected committee. He stated that the procedure is inadequate with the planning act and to democratic participation.

Mr. Grady stated that there were problems with the procedure and the way in which Council drafted the amendments and they are not appropriate at this time. He stated that Council is seeking to make substantial changes to the text of the plan adopted. He stated that to amend the plan is irregular and premature and contrary to the planning act. He stated that problems outlined in attempting to amend the plan could have been overcome if Council would have made the changes required by the citizens of Lawrencetown.

Mr. Grady stated that he has a petition signed by 400 residents that reflects the strong attitude of the community. Mr. Grady read the heading of the petition:

"The undersigned residents of Lawrencetown, wish to express our support for the Lawrencetown Plan (MPS & By-law) which was developed in our community, forwarded by the Lawrencetown Citizens Committee, and adopted by Council (May 15, 1990). In addition, we support the incorporation of the following four amendments which

were approved at LCC Community meetings and submitted on behalf of the community by the citizens committee but have not yet been adopted. Beyond these changes we believe the Lawrencetown Plan (MPS and BL) should stand as is:

1. The map of the Lawrencetown Plan area should be corrected to include the portion of the lands of the Carter-Romans subdivision which was left out through a drafting error;
2. The necessary steps be taken to provide R-1 (Residential) Zoning to all of the areas within the currently defined boundaries of Carter-Romans, Vantage, Town & Country, and Keltic subdivisions;
3. Provide that all existing Commercial uses (listed in Appendix B of the Plan) be permitted to change to any other commercial use by development agreement and public hearing; and,
4. Provide that all existing Industrial uses (listed in Appendix C of the Plan) be permitted to change to any other commercial use by development agreement and public hearing."

Mr. Grady stated that opposition to the amendments being discussed is based on their clear view of the future and he requested that Council respect those wishes. He requested that Council be presented with copies of the petition.

Mr. Grady stated that to extend the R-1 zoning to any further subdivision with 20 lots and individual lots that meet vague criteria is a violation of the fundamental principle of the Lawrencetown plan. R-1 zones provided in the plan for the four subdivisions were approved by the community on the understanding that it would be available only to those four subdivisions. He stated that this would fundamentally change the character of the Lawrencetown plan and of Lawrencetown. He stated that to open the opportunity for R-1 beyond these subdivisions creates a new Lawrencetown. He stated that the people of Lawrencetown do not want R-1 available elsewhere and throughout the community. He reviewed the RR-1 zone which is the base zone for Lawrencetown. He stated that any member of Council who feels that R-1 is appropriate for Lawrencetown has the right to believe that, but it is not true.

Regarding the 250' minimum road frontage, he stated that no one in Lawrencetown is happy with Highway 207. He stated that it is a highly stressed road. He stated that it was not built for the traffic. He stated that to reduce the minimum road frontage to 150' would roughly double the number of possible driveways on the

207. He stated that the community has said that they do not want that and it defies logic why Council would consider a lower minimum frontage.

Concerning the setback from water, the original recommendation from staff proposed to eliminate those setbacks. He reviewed the 500 foot setback for gasoline stations and garden centres. He stated that he was told by Councillors that these were changed because the province would not let us have them and they had to be toned down to be more acceptable to the province. He stated that if we know there are hazards then we have to take reasonable steps to protect them. He stated that Council would set a positive and creative precedent by endorsing the setbacks in the plan of May 15.

Mr. Grady stated, concerning the existing uses, that there are a number of commercial and industrial uses that sit on a large acreage. He stated that the only control in this amendment is a reference to "scale" and that the relevant provincial and federal bodies would be consulted. He stated that many feel that 'You can't fight City Hall' and resist the business interests but you can if the plan is handled by honourable staff and Councillors. He stated that they want protection in their community.

Concerning the new commercial uses, it looks like a little exception in that the only new commercial interests permitted would be tourist related accommodations like bed and breakfasts and small scale ventures. He stated that the amendment does not set limits and there is no definition of a tourist related accommodation. He stated that a 150 room hotel with spa and with dining room would be classified a tourist related accommodation.

Mr. Grady stated that these amendments to the plan change elements of the plan and the total philosophy of the plan. He stated that the purpose and philosophy of the plan is to retain and enhance as much of the quality of life in Lawrencetown as we currently enjoy. He requested that Council reject the amendments put forward or modify them to bring them into conformity with the principles of the plan adopted on May 15. He stated that if the changes do violence to what the plan is about then Council is fundamentally compromising the value represented by their plan. He stated that it is not proper for representatives of Halifax County or him, as a representative of the Lawrencetown, to change the plan because someone is not comfortable with it. He stated that Council should look to the principle and respond to the petition in a constructive way.

Mr. Randy Barkhouse wished to specifically address amendment "A", the extension of the R-1 zoning outside the four designated subdivisions. He stated that this amendment could open the door to change the premise of the Lawrencetown Plan. He stated that

there is a periodic review after 5 years and the next periodic review would be satisfactory for changing this fundamental part of the plan. He stated that this could change the character of Lawrencetown. He stated that there is adequate space within the subdivisions for this zone. He stated that this would limit home based businesses and place a prohibition on mobile homes. He stated that it is short sighted and unnecessary to extend these prohibitions. He stated that Council should wait to see what pressure develops over the next 5 years rather than pass these amendments.

Councillor Ball asked if he had opposition to the other amendments.

Mr. Barkhouse stated that the road frontage on the 207 creates concern because there are driveways presently on blind crests and lowering the minimum road frontage is inviting more accidents. He stated that he was somewhat neutral on amendment number 5, but perhaps some outside investor might want to drop 150 units on Lawrencetown. He would like to see the amendment on commercial and industrial uses tightened up with reference to "scale". There is no need to change the watercourse setbacks that are presently in the plan.

Warden Lichter remarked on the regulations for driveways and concern about blind curves. He stated that 400 feet of sight distance is required to locate a driveway. He stated that you may need more than 250' of frontage to locate a driveway close to a blind curve, but in other areas it may be possible to reduce to 150'. To state 250' no matter where is a distortion of the truth. He stated that the road frontage may be reduced, but the sight distance would still be required for new driveways.

Mr. Terry Casavechia stated that he agreed with some of the amendments, but he is opposed to others. He is opposed to the amendments because they do not go far enough. He stated that he is opposed to the amendment for R-1 zoning because it is limited to the subdivisions only. He stated that he has five acres of property and if he subdivided to give a portion to his son, he would like to be able to place some restrictions on the zoning so that should his son sell the land, that an undesirable business does not move in next to him.

He stated that concerning the 100' setback from watercourses, he understood having the setback for the septic system but stated that he could not understand this setback for the building. He stated that he was not implying that he wants to be 50' from the water's edge but stated that he would like to have the option for the view of the water. He stated that there has to be more flexibility with the building setback. With regard to the Highway 207, he stated that there are houses there on dangerous curves, but most of the

207 is already built. He stated that RR-1 zoning is a good concept, but stated that certain home industries he would not want next to him or a mobile home. He stated that he has nothing against autobody shops or mobile homes, as some of his closest friends have such, but he would like to have the value of his home and property protected.

Councillor Ball questioned what he meant by "flexibility" since someone can apply for an amendment or rezoning. Mr. Casavechia stated that this would not apply to R-1 zoning and he would not be able to get it.

Carol O'Neil, West Lawrencetown, stated that she has been living in Lawrencetown for 18 years. She stated that she is frustrated at having to be here again on this subject. She stated that members have worked a long time on this plan and stated that she is tired of coming to these meetings. She stated that she was tired of seeing the work of the committee undercut time and time again. She stated that acceptance of these amendments would undo the work. She stated that the amendments are being suggested as the best compromise possible to mediate between interests, but stated that this is not the case. She stated that some amendments clearly and directly contradict fundamental long-standing planning principles that have been voted on again and again in the community. She stated that an amendment for R-1 zoning flies in the face of the community's position. She stated that the people of Lawrencetown want a semi-rural environment and want to prevent high density development. Restrictive R-1 zoning encourages that development. She stated that this amendment creates the potential where existing land use rights will be in danger.

She stated that while Mr. Casavechia's concerns are understandable, he is essentially suggesting spot zoning of R-1 throughout Lawrencetown and she stated that this is not planning. She stated this amendment undercuts the principle of not wanting R-1 zoning throughout the community.

She stated that concerning the road frontage on Highway 207, efforts have been made in the plan to address the needs of smaller road frontages so that people with small amounts of frontage can subdivide. She stated that this is a dangerous road to travel. She stated that the Department of Transportation may now have regulations but stated that there are existing entrances onto the highway that never should have been allowed. She stated that by reducing road frontage, this would increase the danger to all who use the road.

Ms. O'Neil stated that the plan now deletes the requirement for septic systems to be 100' from watercourses and asked why. Warden Lichter stated that the Atlantic Health Unit requires the 100 feet

everywhere in the province. Ms. O'Neil stated that she would prefer to see this 100' requirement left in the plan in the event that Atlantic Health changes the requirements.

She stated that concerning the existing commercial uses, the proposes amendments fails to include clear guidelines for the nature and scope. She stated that this amendment allows for changes within existing uses and stated that there is an industrial area specifically for that purpose. She stated that the problem with this amendment is that it allows current commercial uses to be changed to industrial uses. She stated that new industrial should go where they are presently zoned in the plan or to the industrial park. She recommended that council adopt the amendment from the LCC which allows change of use rather than this amendment which fails to deal with the interests of the people of Lawrencetown.

She stated that amendment "E" does not say anything about the size and what would be included. She stated that this opens the possibility to be developed as a tourist centre. She stated that the people of Lawrencetown have never indicated any such interest and she did not know where this concern even came from.

Mr. Doug MacLeod, West Lawrencetown stated:

"Most of the Councillors here tonight know how much work and consultation has gone into the Lawrencetown Plan. That is why I don't understand the recommendation to accept these proposed amendments. There hasn't been any community-wide support for these amendments except for changing the boundary of the plan area. The amendment to have R-1 zoning available anywhere in the community for subdivisions larger than 20 lots and adjoining existing lots totally goes against the main goal of the plan. That goal is to have Lawrencetown develop as a semi-rural community. This amendment puts Lawrencetown on the road to becoming a suburb of Dartmouth.

"Some councillors representing other areas of the county may want this type of development for their area, but the people of Lawrencetown have said no to this time and time again.

"The impression I am left with after attending public hearings, Council Sessions, and planning advisory committee meetings, is that some councillors still believe that progress can only be measured in the amount of asphalt, buildings and development located in the community. I think you can make some real progress by approving the original plan with the amendments proposed by the community through the Lawrencetown Community Committee.

"The plan is a compromise of many opinions in the community but it provides a good quality of life for people who wish to live in a

semi-rural community.

"It is not fair for individual Councillors to impose their values on Lawrencetown. Since December of 1989, Council has chosen to ignore a duly elected committee representing the community and to proceed with an agenda all their own. The Councillors are being seen in the community as siding with the vested interests and ignoring the wishes of the ordinary people.

"I hope tonight that Council will support the people of Lawrencetown, not just those who would make profits at the expense of the community."

Steve MacDonald stated that he was involved with the petition that Mr. Grady presented. He stated that when he started he was not thrilled with the idea as it appeared from the community vote that there was 50% opposition to the plan. He stated that it became apparent that the people were extremely interested in the plan. He stated that for every three signatures, they spent 1 hour talking with those people about the plan. He stated that most homes had only one adult home at the time and stated that in all the homes that he visited only 6 people did not want to sign the petition. He stated that people seem to like the plan without the amendments.

Mr. Ralph Crowell stated that this petition that was circulated he has never seen it before tonight. He stated that he has talked to others who have never heard of it, and stated that there was a lot of ground that was not covered. He stated that the amendments are here because there are people in Lawrencetown who asked for amendments. He stated that the plan in its original form was voted down by a community vote. He stated that he was not totally in favour of the amendments, but they are a lot better than what we had. He would like to see commercial or industrial zoning for existing businesses.

Decision of Council

Councillor Morgan referred to some speakers' comments that the plan was already passed and he stated that his understanding was that the passage was conditional on amendments being presented to address the concerns brought forward and that nothing would be forwarded until the amendments were made. Warden Lichter stated that this was correct and he reviewed the direction of Council. Councillor Morgan stated that he would be speaking in favour of the amendments with the comment that they don't go far enough or address all the issues.

Warden Lichter stated that the petition would have to be circulated to councillors prior to the making of a decision.

Councillor Ball suggested recessing for 15-20 minutes to get those petitions circulated. Councillor Boutilier suggested that Council adjourn the public hearing and continue another time to allow the petition to be circulated.

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

"THAT this public hearing adjourn until September 10."
MOTION DEFEATED

The public hearing recessed to allow for the copying and distribution of the 28 page petition to every member of Council.

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

"THAT Council approve amendment A as presented."

Councillor Randall stated that as Councillor for the area and as a member of Council, we have heard from the people and listened to them and discussed the changes and took these to the community and heard over again that the people want a plan. He stated that it was not the ultimate plan, but stated that it would never get 100% acceptance. He stated that these amendments are a fair compromise and that the plan review will deal with any other problems that the people will make aware.

MOTION CARRIED 15 FOR
1 AGAINST

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

"THAT Council approve amendment B as presented."
MOTION CARRIED UNANIMOUSLY

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

"THAT Council approve amendment B-1 as presented."
MOTION CARRIED UNANIMOUSLY

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

"THAT Council approve amendment C as presented."
MOTION CARRIED UNANIMOUSLY

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

"THAT Council approve amendment C-1 as presented."

MOTION CARRIED 15 FOR
1 AGAINST

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

"THAT Council approve amendment D as presented."
MOTION CARRIED UNANIMOUSLY

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

"THAT Council approve amendment D-1 as presented."
MOTION CARRIED UNANIMOUSLY

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

"THAT Council approve amendment E as presented."
MOTION CARRIED 15 FOR
1 AGAINST

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

"THAT Council approve amendment E-1 as presented."
MOTION CARRIED 15 FOR
1 AGAINST

Adjournment

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

"THAT this public hearing adjourn."
MOTION CARRIED

The public hearing adjourned at 9:20 p.m.

MOTION CARRIED

MINUTES & REPORTS

OF THE

SECOND YEAR MEETINGS

OF THE

FORTY-THIRD COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

SEPTEMBER COUNCIL SESSION

TUESDAY, SEPTEMBER 4 & 18, 1990

&

PUBLIC HEARING

SEPTEMBER 10 & 24, 1990

&

SPECIAL COUNCIL SESSION

SEPTEMBER 17, 1990

INDEX

September Council Session - 1990

Aerotech Park - Chip Sealing - - - - -	14
Arbitration Committee - appointment of members - - - - -	15
Animal Control Officer - - - - -	22
Chief Building Inspector's Report - - - - -	15
Churchill Estates - - - - -	16-17
Crosswalk - Eastern Passage - - - - -	17
Cole Harbour Place Board - - - - -	24-25
Deputy Warden - Election - - - - -	5-6
Fire Fighting Grants - - - - -	14
Grants - - - - -	13-14&23
Halifax Harbour Cleanup - - - - -	15-16
Letters & Correspondence - - - - -	2-5&21-22
Legal Counsel - - - - -	27
Motion - Appointment of Recording Secretary - - - - -	1&20
Motion - Approval of Minutes - - - - -	1&20
Motion - Letters & Correspondence - - - - -	2-5&21-22
Motion - Paving Marjorie Drive - - - - -	5
Motion - National Family Week - - - - -	5
Motion - Election of Deputy Warden - - - - -	5-6
Motion - Minor Variance Appeal - - - - -	6-7&26-
Motion - Date for Public Hearings - - - - -	7-12&22-23
Motion - UNSM Dues - - - - -	12
Motion - Temporary Borrowing Resolutions - - - - -	12-13
Motion - Grants - - - - -	13-14&23
Motion - Fire Fighting Grants - - - - -	14
Motion - Chip Sealing road, Aerotech Park - - - - -	14
Motion - Senior Citizens Units, Gander - - - - -	14-15
Motion - Chief Building Inspectors Report - - - - -	15
Motion - Sidewalk Construction Agreement - - - - -	15
Motion - Arbitration Committee - - - - -	15
Motion - Halifax Harbour Cleanup - - - - -	15-16

INDEX

September Council Session - 199

Motion - Churchill Estates - - - - -	16-17
Motion - Speed signs, Portuguese Cove - - - - -	17
Motion - Crosswalk, Eastern Passage - - - - -	17
Motion - Sidewalks, Beaver Bank Road - - - - -	17
Motion - Washroom facilities, play fields - - - - -	18
Motion - Treatment plant, Harbour Cleanup - - - - -	18-19
Motion - Adjournment - - - - -	19&27
Motion - Child Abuse Month - - - - -	22
Motion - Animal Control Officer - - - - -	22
Motion - Tax relief - - - - -	24
Motion - Three Brooks Subdivision - - - - -	24
Motion - Cole Harbour Place Board - - - - -	24-25
Motion - Mainstreet Co-ordinator Report - - - - -	25
Motion - High School Eastern Sub-Section - - - - -	25
Motion - Municipal Development Plan, District 10 - - - - -	25
Motion - Legal Counsel - - - - -	27
Paving - Marjorie Drive - - - - -	5
Public Hearings - Dates - - - - -	7-12&22-23
Senior Citizens Units - Gander - - - - -	14-15
Sidewalk Construction Agreement - - - - -	15
Sidewalks - Beaver Bank Road - - - - -	17
Temporary Borrowing - Resolutions - - - - -	12-13
Tax Relief - - - - -	24
UNSM - Dues - - - - -	12
Washroom facilities - Play fields - - - - -	18

COUNCIL SESSION

September 4, 1990

THOSE PRESENT: Warden Lichter
 Councillor Meade
 Councillor Poirier
 Councillor Fralick
 Councillor Ball
 Councillor Deveaux
 Councillor Bates
 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. R. Cragg, Municipal Solicitor
 Mr. D. Reinhardt, Deputy Municipal Clerk

SECRETARY: Mrs. Twila Simms

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

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

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

APPROVAL OF MINUTES

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

"THAT the August 7, 1990 Council Session Minutes be approved as circulated."
MOTION CARRIED

Councillor Randall stated that on behalf of Council and District 9, he welcomed members of the Lawrencetown Volunteer Fire Department. He stated that three men performed an act of

outstanding bravery on September 11, 1989. Councillor Randall called on Chief Malcolm to enlarge on the events of that day.

Chief Malcolm stated that he was not chief at that time, and since becoming chief, felt that they deserve commendation. He stated that on September 11, 1989, the Lawrencetown Fire Department received a call at 7:16 p.m. at the time when hurricane Gabriel was passing over the area. Surfers were in trouble in the waves. Chief Malcolm stated that the LFD protects the beach although it is provincial jurisdiction. Upon arrival three members attempted a rescue and were successful: Alan Bell, Calvin Cull and Art Horne. The three men then stepped forward to be presented with certificates of outstanding achievement for this act of bravery of September 11, 1989.

LETTERS AND CORRESPONDENCE

Department of Lands and Forests

Mr. Reinhardt reviewed the letter concerning improvement of cemeteries on the Halifax County Hospital Lands.

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

"THAT this letter be received."
MOTION CARRIED

Department of Transportation and Communications

Mr. Reinhardt reviewed the letter concerning the reduction in speed limit along West Pennant Road.

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

"THAT this letter be received."
MOTION CARRIED

Department of Transportation and Communication

Mr. Reinhardt reviewed the letter concerning repairs to the bridge at Seaforth.

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

"THAT this letter be received."
MOTION CARRIED

Department of Transportation and Communication

Mr. Reinhardt reviewed the letter concerning sidewalk construction along First Lake Drive.

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

"THAT this letter be received."

Councillor Boutilier stated that the original correspondence was not clear as it could have been. He stated that he was looking for when tenders would be called. He stated that they were called already and that had answered his questions.

MOTION CARRIED

Department of Transportation and Communications

Mr. Reinhardt reviewed the letter concerning the paving of four streets in Lahey subdivision.

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

"THAT this letter be received."

MOTION CARRIED

Department of Transportation and Communications

Mr. Reinhardt reviewed the letter concerning truck traffic on Trunk 3 between Lakeside turn-off and the Highway 103 interchange.

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

"THAT this letter be received."

MOTION CARRIED

WVII Bangor Communications Inc.

Mr. Reinhardt reviewed the letter concerning the replacement of WVII with the ABC affiliate in Detroit.

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

"THAT this letter be received."

MOTION CARRIED

Councillor Richards stated that although we may not have as clear a picture on this issue as we may like, he was in support of their request. He stated that this has been broadcasting for many years and has made a contribution in the area of public service

announcements. He questioned whether this service would be met from Detroit.

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

"THAT Council write a letter in support of WVII TV."

Councillor Deveaux stated that WVII has made a name for itself and should be supported.

MOTION CARRIED

Department of Education

Mr. Reinhardt reviewed the letter and the letter included in the supplementary correspondence concerning the regional meeting to discuss the Formula Review Committee Study at St. Pat's High, Tuesday, October 9.

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

"THAT these two letters be received."

MOTION CARRIED

Councillor Sutherland asked if there was a brief outline of the presentations. Warden Lichter stated that he was waiting for the School Board to have the proposal put together and our reaction will be similar, or if there are divergencies, they will be incorporated.

Councillor Deveaux stated that this item was sure to be raised at the UNSM Conference.

Canadian Paraplegic Association

Mr. Reinhardt reviewed the letter concerning funding for the Annual Spinal Cord Research Symposium.

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

"THAT this letter be received."

MOTION CARRIED

National Access Awareness Week

Mr. Reinhardt reviewed the letter thanking Council for their donation and asking for a representative to attend a seminar.

It was moved by Councillor Sutherland, seconded by Councillor

Meade:

"THAT this letter be received."
MOTION CARRIED

Warden Lichter stated that he has asked a staff member from the Recreation Department to participate.

SUPPLEMENTARY CORRESPONDENCE

Paving Petition

Mr. Reinhardt reviewed the petition for paving for Marjorie Drive.

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

"THAT this be forwarded to the Department of Transportation with our support and a copy sent to the MLA."
MOTION CARRIED

Family Service Association

Mr. Reinhardt reviewed the letter asking for October 1-7 to be proclaimed National Family Week.

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

"THAT this letter be received and October 1-7 be proclaimed National Family Week."
MOTION CARRIED

T. A. Products Limited

Mr. Reinhardt reviewed the letter requesting permission to speak on a PAC matter.

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

"THAT this letter be received."
MOTION CARRIED

Warden Lichter stated that this would be dealt with when the PAC item is discussed.

ELECTION OF DEPUTY WARDEN

Councillor Reid moved the nomination of Councillor Ball for Deputy

Warden:

"Mr. Warden and Fellow Councillors, it is my pleasure to place in front of you the name of Councillor Randy Ball for the position of Deputy Warden. Randy originally hails from Newfoundland and moved to the mainland at the age of 16 when he began his university education at Acadia. He graduated with a Bachelor of Arts and continued his formal education by attending Dalhousie where he graduated with his Masters of Education. He is presently employed by the Dartmouth School Board as a junior high teacher. Randy joined us two years ago representing the Herring Cove/Sambro area of District 5 of Halifax County. Since joining Halifax County Council, he has been a conscientious, hard-working member of Council. It is indeed my great pleasure to nominate Randy Ball for the position of Deputy Warden."

Seconded by Councillor MacDonald:

"It is my pleasure to second the nomination of Randy Ball. Randy has shown that he is an important part of the County in the last two years that he was elected for Herring Cove. He has been on the Planning Advisory Committee, Plan Review Committee, Fire Advisory Committee, Urban Services Committee and Transit Committee. Councillor Ball's first week or so on Council certainly proved that he had the ability to become a county councillor. As you recall he has some serious problems come at him as far as siting of a treatment plant and so on for the Herring Cove area and he handled this quite admirably and he also progressed along in the next two years handling most problems and it was like he had been here for ten years, so I think he has a lot of ability and he certainly would make a fine Deputy Warden. I second the nomination."

There were no further nominations.

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

"THAT nominations cease."
MOTION CARRIED

Warden Lichter congratulated the new Deputy Warden and expressed his thanks and greatfullness on behalf of Council to Councillor Baker who has served the Municipality well for almost 10 months and had it not been for his illness, he would be still serving until his term expires.

DATE FOR MINOR VARIANCE APPEAL

Minor Variance Permit #MV 02-20-90, 106 Cavalier Drive, Lwr. Sack.

Mr. Reinhardt stated that a suggested date for this appeal would be October 16, 1990 at 7:00 p.m.

It was moved by Deputy Warden Ball, seconded by Councillor Boutilier:

"THAT the appeal be heard on October 16, 1990 at 7:00 p.m."

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

File No.'s ZA-FEN-11-90, ZA-8&9-12-90, RA-1&3-09-90-01, RA-1&3-10-90-03, FA-F&S-06-90-17, RA-EP/CB-05-90-06, RA-TLB-11-90-02, RA-PD5-12-90-05, RA-F&S-14-90-17 and RA-PD5-15-90-05 - Amendments to land use by-laws and zoning schedules

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

"THAT September 24, 1990, at 7:00 p.m. be set as the time for the public hearing on this issue."

MOTION CARRIED

File No. PA-TLB-11-88-02 - Application by T. A. Products Limited to amend the municipal planning strategy and land use by-law for Timberlea/Lakeside/Beechville

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

"THAT Mr. Robertson be granted permission to speak."

Councillor Poirier asked that if Mr. Robertson is allowed to speak that this courtesy be given to the members of the residents association. She stated that a public participation meeting was held in the community. She stated that Mr. Robertson's property is in a highly residential area. She stated that Mr. Robertson is allowed through a development agreement to expand, but Mr. Robertson wants all or nothing. She stated that this was not fair to the residents.

Councillor Boutilier stated that he was not opposed to anyone speaking and stated that the reason that PAC is recommending not to have a public hearing is, in short, the application was looking for I-1 zoning and a number of other applications that would be examined under the plan review process. He stated that the general feeling was that by taking one application above the others sets a precedent and does nothing to look at the broader span. He stated that staff was instructed to come back with outstanding issues in the TLB By-law. He stated that this is going through work with PRC and doing one application at a time is the wrong

thing to do. He stated that PAC was allowing time for this to proceed in the proper fashion.

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

"THAT this item be deferred to the next Council Session at which time Mr. Robertson and one member of the residents association would be able to speak."

MOTION DEFEATED 11 FOR
11 AGAINST

ORIGINAL MOTION CARRIED 16 FOR
6 AGAINST

Mr. Robertson stated that to clear up the purchase of the property, he purchased the properties at the same time. He stated that two were purchased and 1 was negotiated for purchase within 6 months in 1977. He stated that he was seeking support for a plan amendment and rezoning for 3 lots by public hearing. He stated that he attended some of the meetings which resulted in the 1982 municipal development plan, we got the impression that when the plan and zoning by-law were enacted our property would be given the appropriate industrial zoning in accordance with the existing use and in accordance with our permits from the County and the Regional Development Permit for our industrial building issued in 1977. Although the present plan gives our property a residential designation, it does not provide in policy P-36 for the continued industrial use of our property by its inclusion in Appendix B of the zoning by-law which deems existing use as a permitted use.

This provision in our opinion does not go far enough as we felt that our property should be zoned in accordance with the use of the property for industrial purposes and in order that expansion and alteration are a matter of right. At a recent PAC meeting Mr. Fournier brought out several points which I did not have the opportunity to address. One was the matter of the environment and he stated that two days after that meeting he went to the back of his property and someone was spraying their lawn. He stated that this caused him concern because he did not know if the spray would cause pollution of his ground water and if it was biodegradable. He stated that it is possible that there were more chemicals put into the ground in that hour than what they would put in in several years. He stated that he is individually concerned about pollution and what is done to the environment. He stated that when he worked for a tobacco company, he was on a committee to study diversification and stated that one cannot throw away everything. He stated that he is aware of the concern for the resources and what happens to them. He stated that during the 1970-71 County garbage strike he was chairman of the group who opposed the dumping near Sheldrake Lake.

Mr. Robertson stated that at a recent scientific convention it was noted that the major causes of pollution was the scientists whose chemicals are polluting because they did not take the time to research the impact they would have on the environment. Mr. Robertson alluded to pollution by governments and used Tufts cove Operation as an example.

He stated that it has been suggested that if given the zone someone could purchase the property and cause a problem as is now in Hammonds Plains. He stated that these situations concern all of us because not all business men are honest, and neither are politicians.

Mr. Robertson stated that as for the comments made by Mr. Fournier about development permits, 6 months is too long for a development agreement. He stated that Mr. Fournier pointed out that administrative contracts and negotiations can take up to 6 months to complete. He stated that when the company gets a contract, they want them to start work immediately, not in 6 months' or a year's time.

Mr. Robertson stated that he believed in planning and in planning the community, but he stated that he also believed in planning a business. He stated that he did not think that Appendix B allowed for existing businesses to do much planning. Mr. Robertson stated that industrial zone scares people away because it sounds like a large corporation. He stated that he is small business. He stated that the proposal for an I-3 zone does not fit the businesses in existence, although fine for someone just starting.

Mr. Robertson stated that the plan was put together by a committee and reflects the members of the committee not the community as a whole. He stated that the business community was not consulted and the needs were not addressed properly. He stated that they were told that the property would be given an appropriate zone. He stated that prior to purchasing the lands he was assured that the industrial use was fine for the area. He stated that drastic changes were made in 1982. He stated that changing the zoning from general to R-1 is expropriation without compensation as his property is now less valuable.

Councillor Boutilier clarified that he did not state that the vote not to have a public hearing was unanimous.

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

"THAT this go to a public hearing."

Councillor Eisenhower stated that he does not know what is going

for public hearing. He stated that he was against the motion. He stated that the reason he voted to hear Mr. Robertson speak is so that he could explain one thing: Businesses in Appendix B can make changes by development agreement and he was looking for an explanation as to why Mr. Robertson has not applied for a development agreement. He stated that staff looked at this and recommended creating an I-3 zone. He questioned if the public hearing would be for I-1, I-2 or I-3 and if this would apply to all business listed in Appendix B. He stated that the plan is not that old. He questioned putting the community at risk when the chance to accommodate the needs of the business exists through development agreement.

Councillor Poirier stated that Mr. Robertson feels that his business is being inhibited. She stated that any problem can be dealt with by a development agreement and the community and council would be supportive, but Mr. Robertson has never applied. She stated that he does not want part, he wants all. She stated that consideration must be given to the residents in the community. She stated that an open zone is not fairness. She stated that the development agreement takes care of all needs and concerns and that he is not being discriminated or inhibited. She stated that this would not be fair to the other residents. She stated that she is trying to protect the community and make it a fair place to live. She stated that Mr. Robertson is being unfair to the community.

Councillor Merrigan stated that he was not saying that he would support I-1 or not and stated that by allowing Mr. Robertson to speak, we started the public hearing tonight. He stated that the only alternative he has is to vote in favour of the motion to have time to review the material that was only just presented to Councillors.

Councillor Cooper stated that there is a plan in place although not perfect. He stated that provisions are made to protect business and appendix B provides consideration for expansion by development agreement. He stated that because of the residential designation there must be some avenue maintained where the community can have input to development.

It was moved by Councillor Cooper,

"THAT this be referred back to PAC to consider the I-3 recommendation."
LOST FOR A SECONDER

Deputy Warden Ball stated that Mr. Robertson applied for I-1 and that was the recommendation of PAC. He stated that he did not think that they should go for I-1 or I-3 because there is a development agreement route.

Councillor Boutilier stated that the community does not agree. He stated that if I-3 would have been considered acceptable, PAC would have been recommending a public hearing.

Councillor Bates wanted clarification on the matter. He stated that it appeared that Mr. Robertson bought land in 1977 and had a general commercial zone and in 1982 the plan came in and changed all that.

Councillor Fralick stated that residents were asking for a zone to be able to operate a business within and in the end there was Appendix B with residential zoning. He stated that it appeared that there was hedging now to get something.

Councillor Morgan stated that if the situation was reversed, Council would behave differently because there would be votes at stake. He stated that this is frustrating to the business operator. He stated that if businesses had the right to vote this may be another story. He stated that small business must have a fair climate in which to operate. He stated that the development agreement is good for some sites, but the length of time is not advantageous. He questioned why residents don't have to go through a development agreement. He stated that this should go to public hearing to see if the residents would support I-1 zone. He stated that it was not fair or right to have businesses zoned out of existence.

Warden Lichter stated that with the development agreement one is left at the mercy of his neighbours.

Councillor Eisenhauer stated that we were doing more than that in this case. He stated that this puts the whole community at risk because it allows for industrial zoning throughout the community. He stated that this does not affect just one area, but the whole community.

Councillor Boutilier stated that this plan amendment would affect the whole plan area and this is not an isolated case.

Councillor Poirier stated that they had a public hearing with PAC. She stated that PAC reached a conclusion and brought this to Council. She stated that Council did not understand the implications of what the public hearing can do. She stated that it would allow for the development of industry throughout the community. She stated that the people are entitled to have some part in this decision.

Councillor Merrigan stated that all he was trying to do was allow for the ability to hear everyone and understand what he is supposed

to make a decision on. He stated that anyone who makes decisions without understanding the issue should not be on Council.

MOTION DEFEATED 10 FOR
12 AGAINST

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

"THAT Council support the recommendation of PAC."
MOTION CARRIED 13 FOR
9 AGAINST

EXECUTIVE COMMITTEE REPORT

UNSM Dues

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

"THAT this issue be dealt with by a free vote after discussion at the conference."
MOTION CARRIED

Temporary Borrowing Resolutions and Renewals

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

"THAT the following temporary borrowing resolution renewal be approved: 89-01 Leasehold Improvements - Cole Harbour Place \$240,000."
MOTION CARRIED

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

"THAT the following temporary borrowing resolution renewal be approved: 88-01 Sackville Storage Reservoir \$1,400,000."
MOTION CARRIED

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

"THAT the following temporary borrowing resolution renewal be approved: 88-06 Recreation Facilities \$2,000,000."
MOTION CARRIED

It was moved by Councillor Richards, seconded by Councillor Horne:
...12