

because all that is being received from the various levels of government are "dear john" letters. He said the lobster fishing season starts the last Monday in November and this blockade is still up on a portion of the wharf. He said he has to give credit to the Mr. Regan who came out that morning. He said they had engineers check the wharf and it was found that only a portion of the wharf required repair so the blockade was then moved to the dangerous section of the wharf. He said nothing has happened to date except replies to several letters being received.

Mayor Ball said the county can try to contact the MP for the area and put pressure on him to do a follow up to see what the status is of that situation.

Councillor Fralick said he would like to have a look at this with regards to the have it included under the Infrastructure program.

Mayor Ball said it may be that the Municipal share will have to be borne by the specific area involved. He said that share would not be from the general coffers of Halifax County but specifically that area. He suggest Councillor Fralick contact Mr. Wdowiak.

LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from Mrs. Vallerie Mitchell, a resident of district 4, requesting signage for a blind hill.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

'THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION REQUESTING THAT A STUDY BE DONE ON THAT AREA"

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from UNSM seeking input on the proposed changes to Canada's social system.

It was moved by Councillor Giffin, seconded by Councillor Mitchell:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

3. Ms. Dempsey Crossman outlined a letter form the Environmental Control Council concerning the 1994 Environmental Awards program.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a letter from the Economic Renewal Agency extending an invitation to representatives from the Halifax County Economic Renewal Area to participate in a conference in Halifax on December 6th to 9th.

It was moved by Councillor Peters, seconded by Councillor Hendsbee:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Peters said she would be attending in her position as chair of the Economic Development Policy Committee but because of the other openings she would like to have that made available to the Steering Committee members.

It was moved by Councillor Peters, seconded by Councillor Mitchell:

"THAT THE NAMES OF THE INTERESTED PEOPLE BE LEFT WITH HER AND SHE WILL CONTACT THEM AND GET THIS PUT FORWARD"

Councillor Reid said the Policy Committee is no longer in place and the suggestions for the Interim Board have been made and are included in the package that is being presented tonight. He said the suggestion is also that one municipal councillor go. He said he believes that the interim board, itself, should have the ability of appointing who goes to that meeting on it's behalf.

Councillor Peters said she had meant for it to go to the interim board. She said her intent was that she would contact them, tell them what spaces were available, what was involved and get them to put the names forward. She said she would take the responsibility to do that.

Mayor Ball clarified that it would go to the interim board of

directors.

MOTION CARRIED

5. Ms. Dempsey Crossman outlined a letter from the Department of Natural Resources with regards to a derelict boar, Three Fathom Harbour.

It was moved by Councillor Mitchell, seconded by Councillor Hache:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

6. Ms. Dempsey Crossman outlined a letter from the Department of Fisheries acknowledging receipt of a copy of council's correspondence to Martin Delaney concerning various transportation matters.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

7. Ms. Dempsey Crossman outlined a letter from the Department of Fisheries acknowledging receipt of a copy of a letter forwarded to the Honourable Don Downe concerning the CN rail line on the South Shore.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

8. Ms. Dempsey Crossman outlined a letter from the Department of Fisheries acknowledging receipt of a copy of council's letter to the UNSM regarding municipal reform.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

9. Ms. Dempsey Crossman outlined a letter from William Macdonald, MLA, Sackville Beaverbank to the Honourable Richie Mann concerning the need for a sidewalk along the Beaverbank Road from the Kinsac Corner to Lakeridge Estates.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

10. Ms. Dempsey Crossman outlined a letter from the Department of Transportation acknowledging receipt of council's letter with regards to the need for a sidewalk along the Beaverbank Road.

It was moved by Councillor Giffin, seconded by Councillor Hache:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

11. Ms. Dempsey Crossman outlined a letter from the Department of Transportation acknowledging receipt of council's letter concerning a request for installation of a crosswalk at the intersection of Power Terrace and St. Margarets Bay Road.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

12. Ms. Dempsey Crossman outlined a letter from the Department of Housing and Consumer Affairs confirming that Ms. Helen Mosher and Ms. Velma Ledwidge have been officially appointed to the Dartmouth/Halifax County Regional Housing Authority as the municipality's representatives.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

13. Ms. Dempsey Crossman outlined a letter from the Women's Action Coalition of Nova Scotia asking that council proclaim December 6, 1994 as a day of reflection on the violence against women and the beginning of a year wherein government will renew support for agencies working to end male violence against women.

It was moved by Councillor Giffin, seconded by Councillor Mitchell:

'THAT THE LETTER BE RECEIVED AND COUNCIL PROCLAIM

DECEMBER 6, 1944 AS A DAY OF REFLECTION ON VIOLENCE
AGAINST WOMEN"

MOTION CARRIED

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

'THAT THE PROCLAMATION BE AMENDED BY DELETING THE WORD
"MALE" IN THE LINE BEGINNING WITH THE WORD "REFLECTION"
AND ALSO THE WORDS "WOMEN AND CHILDREN" BE DELETED FROM
THE LINE BEGINNING WITH THE WORD "ENVIRONMENT"

Councillor McInroy said he would take issue with the action
requested in the last paragraph with regards to securing funds.
He said he supports the initiatives but he does not feel it is
necessary for someone to put the county in a position to have to
proclaim the day and to tie into it a financial commitment. He
said he does not feel the county is in a position to commit
itself financially to all the various agencies that might be
involved. He said he would like the two separated.

Mayor Ball said the proclamation in itself if what council is
endorsing and the proclamation does not suggest that the county
is making contributions. It is just suggesting that the county
is making the day a day of renewal recognizing the fact that this
kind of violence has to be stopped.

MOTION CARRIED

14. Ms. Dempsey Crossman outlined a letter from CN with regards
to council's concern with the shunting of railway cars in the
vicinity of Autoport and Ultramar Refinery in Eastern Passage.

It was moved by Councillor Mitchell, seconded by Councillor
Giffin:

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

15. Ms. Dempsey Crossman outlined a letter from CN with regards
to regards to concerns with the issue of train crossings and
correspondingly whistle zones in the Windsor Junction area.

It was moved by Councillor Giffin, seconded by Councillor Hache:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Ball requested that this letter be directed to Councillor

Snow. Councillor Peters said she would ensure that it is brought to his attention.

16. Ms. Dempsey Crossman outlined a letter from the Metro Coalition for Harbour Cleanup with regards to the contract for public private partnership initiative for the Halifax Harbour Cleanup Project.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from the Canadian Public Health Association asking council to proclaim December 1, 1994 World AIDS Day.

It was moved by Councillor Giffin, seconded by Councillor Mitchell:

"THAT THE LETTER BE RECEIVED AND COUNCIL PROCLAIM
DECEMBER 1, 1994 AS WORLD AIDS DAY IN HALIFAX COUNTY"

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from the Nova Scotia Association of Police Boards with regards to their annual conference.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

3. Ms. Dempsey Crossman outlined a letter from the UNSM with regards to library funding and any concerns and problem areas and general comments that council would like to bring to the committee's attention.

It was moved by Councillor Mitchell, seconded by Councillor Giffin:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a letter from the Department of Transportation in response to council's correspondence concerning problems in the Lake Echo Porter's Lake area.

It was moved by Councillor Hendsbee, seconded by Councillor Hache:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

5. Ms. Dempsey Crossman outlined a letter from the Soil and Water Conservation Society of Metro Halifax requesting an opportunity to address council.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

6. Ms. Dempsey Crossman outlined a letter from the Minister of Industry with regards to council's correspondence concerning the Ultramar Refinery.

It was moved by Councillor Giffin, seconded by Councillor Rankin:

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

7. Ms. Dempsey Crossman outlined a letter from the Black History Month Coordinating Committee asking council to declare February as African Heritage Month.

It was moved by Councillor Hendsbee, seconded by Councillor Peters:

'THAT THE LETTER BE RECEIVED AND FEBRUARY BE DECLARED AS AFRICAN HERITAGE MONTH IN HALIFAX COUNTY'

MOTION CARRIED

8. Ms. Dempsey Crossman outlined a letter from the Department of Transportation in response to council's correspondence with respect to a number of traffic related items.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

Deputy Mayor Cooper said with regards to the Library Funding Review Committee and in view of recent experiences with time frames he would pointed out when the letter was received and what the time frame was with regards to input. He said he feels, after looking at the terms of reference, that this should be passed along to the Library Board and ask them to consider past submissions and letters and do input into that committee.

Councillor Harvey said that the Library Board is aware of this committee.

PLANNING ADVISORY COMMITTEE REPORT

Revised Municipal Planning Strategy and Land Use By-law for Planning Districts 1 & 3

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

'THAT A PUBLIC HEARING BE SCHEDULED FOR MONDAY, JANUARY 23, 1995, AT 6:00 P.M. FOR THE ADOPTION OF THE NEW MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR PLANNING DISTRICT 1 & 3"

MOTION CARRIED

File No. RA-TLB-15-94-02 - Application by Kevin Robb to rezone the property at 136 Ashdale Crescent in Timberlea and amendments to the provisions of the Land Use By-law for Timberlea/Lakeside/Beechville

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

'THAT THE REZONING APPLICATION AND AMENDMENTS TO THE LAND USE BY-LAW FOR TIMBERLEA/LAKESIDE/BEECHVILLE BE FORWARDED TO COUNCIL FOR CONSIDERATION AT A PUBLIC HEARING ON DECEMBER 19, 1994, AT 6:00 P.M."

MOTION CARRIED

File No. DA-EPCB-11-94-06-A1 - Amending Development Agreement to allow for a change of occupancy on the Atlantic Industries Ltd. property on the Oceanview School Road in Eastern Passage

It was moved by Councillor Naugle, seconded by Councillor Mitchell:

'THAT THE APPLICATION BE APPROVED AND A PUBLIC HEARING BE SCHEDULED FOR DECEMBER 19, 1994 AT 6:00 P.M.

MOTION CARRIED

File No. ZA-EPCB-13-94 - Amendment to the Land Use By-law for Eastern Passage/Cow Bay to permit the operation of take-outs in association with variety stores

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

'THAT THE PROPOSED AMENDMENTS BE APPROVED AND THAT A PUBLIC HEARING BE SCHEDULED FOR DECEMBER 19, 1994 AT 6:00 P.M."

MOTION CARRIED

File No. CDD-TLB-02-94-02-A1 - Proposed amendments to the development agreement applied to lands zoned as Comprehensive Development District at Glengarry Estates in Timberlea

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

'THAT THE AMENDING AGREEMENT BE APPROVED BY COUNCIL AT ITS REGULAR SESSION ON DECEMBER 6, 1994, CONTINGENT UPON THE WITHDRAWAL OF THE APPEAL BY THE GLENGARRY ESTATES RATEPAYERS ASSOCIATION"

MOTION CARRIED

File No. RA-EP/CB-04-94-06 - Application by Gerald Conrod to rezone the property at 2156 Shore Road in Eastern Passage

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

'THAT THIS APPLICATION BE SCHEDULED FOR A PUBLIC HEARING ON DECEMBER 19, 1994 AT 6:00 P.M."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Appointment of New Administrator/Investment Manager for the Halifax County Municipality Part-Time Retirement Pension Plan

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

'THAT MARITIME LIFE ASSURANCE COMPANY BE APPOINTED AS THE ADMINISTRATOR AND INVESTMENT MANAGER FOR THE HALIFAX COUNTY MUNICIPALITY PART-TIME RETIREMENT PENSION PLAN"

MOTION CARRIED

Shore Drive Water Extension, Bedford

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

"THAT APPROVAL BE GIVEN FOR A CAPITAL CONTRIBUTION OF \$21,000 PAYABLE TO THE TOWN OF BEDFORD BY THE WATER UTILITY TOWARD THE COST OF EXTENSION OF WATER INFRASTRUCTURE ON SHORE DRIVE"

MOTION CARRIED

Vacant Land - Boutiliers Point

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

'THAT APPROVAL BE GIVEN FOR THE DISPOSITION OF THIS PROPERTY CONTINGENT ON RECEIPT OF FAIR MARKET VALUE"

MOTION CARRIED

Fences and Detention of Stray Livestock Act

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

'THAT COUNCIL, BY RECORDED RESOLUTION, APPROVE THE APPOINTMENT OF DALE REINHARDT AS A MEMBER OF THE FENCES ARBITRATION COMMITTEE FOR A TERM OF TWO (2) YEARS COMMENCING NOVEMBER 15, 1994 AND ENDING NOVEMBER 15, 1996. FURTHER DALE REINHARDT SHALL BE CHAIRPERSON OF THE COMMITTEE WITH REMUNERATION FOR COMMITTEE MEMBERS BEING SET AT \$50.00 PER MEETING"

MOTION CARRIED

Proposed Dog By-law Committee

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

'THAT THE DOG BY-LAW COMMITTEE BE FORMED AS PREVIOUSLY PROPOSED WITH ADVERTISEMENTS BEING PLACED SEEKING MEMBERS TO SERVE ON THE COMMITTEE"

MOTION CARRIED

Street Light Reimbursement - Eva and Aubrey Brown

It was moved by Councillor Hendsbee, seconded by Deputy Mayor Cooper:

'THAT EVA AND AUBREY BROWN BE REIMBURSED FROM THE DISTRICT 8 STREET LIGHTING ACCOUNT"

MOTION CARRIED

Capital Grant Requests

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

'THAT THE FOLLOWING GRANT REQUESTS BE APPROVED:

General Parkland Grant		\$1,000.
General Parkland Grant		\$2,460.
District Capital Grant	District 14	\$ 500.
District Parkland Grant	District 14	\$ 500.

MOTION CARRIED

Impact of Amalgamation on Outlying Districts

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

'THAT COUNCIL APPROVE, IN PRINCIPLE, THAT THE MUNICIPALITY GATHER, ANALYZE AND DISTRIBUTE INFORMATION FOR ALL OUTLYING DISTRICT WHEN INFORMATION IS AVAILABLE CONCERNING THE UNI-CITY AND THAT CHOICES AVAILABLE THEREFROM. FURTHERMORE THE PROVINCE IS TO BEAR THE COSTS ASSOCIATED FOR THE GENERATION OF THIS INFORMATION"

Mayor Ball said after the meeting scheduled for Tuesday this may be addressed to everyones satisfaction that it will not be exclusive but inclusive of what council is trying to deal with here.

Council agreed to this.

Deputy Mayor said that the main thrust of the discussion was that the municipality has a responsibility to provide the information to areas, especially those that have options. He said those areas that don't have options may not want to be involved but the county must still be involved.

Mayor Ball said there is a responsibility to the whole municipality in the both the outlying and inlying areas. He said he is trying to say that if the county can incorporate in the process that the four units are trying to achieve and ensure that those comparisons are done for the benefit of the taxpayers, wherever they may be in the county, inclusive of the overall concept that is being moved forward with jointly, it becomes better that way because it comes from a group process as opposed to an individual fragmented process. He said if that is not

achieved on Tuesday, then he would suggest that Halifax County council would go on record of doing that process for those areas.

Council agreed to defer this until after the meeting on Tuesday.

COMMITTEE OF THE WHOLE RECOMMENDATION AND REPORT DATED NOVEMBER 15, 1994

Maureen Ryan made a staff presentation. She said before proceeding with public hearing for planning district 4 the Department of Planning and Development felt that it was necessary to bring to council's attention a matter concerning one of the proposed policies in light of recent initiatives for landfill siting. The proposed municipal planning strategy for district 4 now contains a policy which basically specifies council's intention to prohibit the establishment of future landfill site within planning district 4. This policy was established on the basis of local community concerns and it was also established with the understanding that municipal affairs would approve of it as per its preliminary review and since similar policies are contained within planning districts 1 and 3 and Lawrencetown. Despite the past approval of this however, the proposed policy must now be considered in light of council's recent initiatives towards the future development of a proposed landfill facility. In particular, in order to accommodate broader interests, municipal council has now passed a motion to consider locating a landfill facility anywhere within the boundaries of Halifax County Municipality except in Sackville and also has entered into an agreement with the province to exempt the proposed landfill from the requirements of the Planning Act. Given these recent initiatives the adoption of the proposed policy E13 will be inconsistent with the overall objectives and may be misleading to the residents of planning district 4. Should the Municipal Council direct a proposed policy and preamble to replace policy E13 and it's preamble there is one proposed and attached to the staff report. She said this policy reflects the current situation towards landfill siting and it commits municipal council towards a public consultation process rather than prohibiting the location of landfill facilities outright. If Municipal Council is in agreement with the replacement of this policy it may do so before the public hearing is advertised or it may do so at the night of the public hearing if sufficient notice is provided within the advertisement.

If; however, Municipal Council is not prepared to accept the present policy to prohibit, under any circumstances, then staff would recommend that the revisions be made to the Municipal Planning Strategy prior to proceeding to the public hearing.

Mayor Ball said that if Halifax County has accepted the responsibility for solid waste management then there cannot be exclusionary zones except for the one, that for the record, that

council did because the people of Sackville accepted for twenty years.

Councillor Hendsbee asked what was to be the consideration given to the five identified wilderness areas.

Mayor Ball said what council had said was if, for environmental reasons, it can be established that the criteria does not fit, because it is environmentally sensitive, etc, then if that is the consensus then it will not be a part. He said the only one that council exclusively removed from the process was the community of Sackville. He said outside of that no one else was removed.

Councillor Rankin said to be consistent then the plans for district 1 and 3 as well as Lawrencetown must be reviewed.

Mayor Ball said the municipality must review the plans of the various areas where it could potentially have that particular policy statement in it and address it accordingly. He said maybe the initiative would be to do district 4 and have staff bring back recommendations on other planned areas.

Ms. Ryan said there is a Municipal Plan Review process ongoing for Planning Districts 1 and 3 and that initiative can be supported within that particular document. Lawrencetown is scheduled for review in December of 1995. He said they can proceed with the amendment of that strategy, at this point in time, to delete that policy or they can wait until the review process is due.

Mayor Ball said with the expectations and time line that has been established in Halifax County the county would hope to have a site chosen and under the construction stage well before the review process begins. He said it might be advisable that the process of that amendment be initiated now.

It was moved by Councillor Hache, seconded by Deputy Mayor Cooper:

"THAT THE INITIATIVE IS CARRIED THROUGH WITH REGARDS TO
LANDFILL SITING IN DISTRICTS 1 AND 3 AS WELL AS
LAWRENCETOWN"

MOTION CARRIED UNANIMOUSLY

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

'THAT DECEMBER 12, 1994 BE RATIFIED AS THE DATE FOR THE
PUBLIC HEARING WITH RESPECT TO MUNICIPAL PLANNING
STRATEGY AND LAND USE BY-LAW FOR PLANNING DISTRICT 4"

MOTION CARRIEDMEMORANDUM RE: STRATEGIC PLANNING FOR MUNICIPAL REFORM

Ms. Dempsey outlined correspondence from K. R. Meech, Chief Administrative Officer with regards to a survey for Municipal Council members.

Mayor Ball said on Tuesday a joint session of all four councils will be held in the municipal building at noon to discuss the joint plan of attack in terms of this survey and also calling for a proposal, jointly, from the financial community as well as other parts of the community. He said the CAO's report would be a part of the process.

Council agreed to receive the memorandum.

MILLWOOD PUD - SIDEWALKS

Mr. Bill Butler made a presentation to council. He said council deferred the matter of the Millwood sidewalks to the Sackville Community Council. The Sackville Community Council met on November 8th and, at that time, staff tabled a memorandum which attempted to clarify the situation. He said he feels there was some misunderstanding at the Public Hearing of July 25th relative to whether sidewalks were required or not. At that time, council defeated a motion that would require sidewalks on the belief that that matter was discretionary. He said when the applications were received it was found that sidewalks are mandatory under the terms of the agreement so; therefore, to alleviate the need for them would have required amendments to the actual PUD agreement. He said those specific amendments have been attached to the November 1st report to reflect what they thought was council's intent of July 25th. He said it is their estimate that there is approximately 650 feet of sidewalk involved here and somewhere in the order of sixteen to twenty thousand dollars worth of capital cost to put those sidewalks in.

The community council, in dealing with the issue, has gone on record as not supporting any changes to the PUD agreement to remove the need and requirement for sidewalks. They have indicated that they are willing to look at any options provided by the solicitor. The November the 15th memo contains the review undertaken by the municipal solicitor and has provided three options to council in terms of how to deal with the issue. He said the first option is to retain the status quo which would require the sidewalks as per the PUD agreement. The second is to delete the requirements for sidewalks along Millwood Drive. He said if council wishes to do that the amendments are attached in the November 1st report. The third option is to pursue some kind of a cost sharing arrangement with the developer relative to the sidewalk. Although the agreement is quite specific that

sidewalks are the developers responsibility there is nothing that would preclude this council from approving a resolution to cost share with the developer. He said, from a staff point of view, it would be a recommendation not to amend the agreement to exclude the need for sidewalks. He said in light of the confusion probably some cost sharing arrangement would be appropriate in this regard.

Councillor Brill asked when the PUD was put in place. Mr. Butler said it was put in place in 1978.

Councillor Brill said the PUD has a requirement for sidewalks and it should remain that way. He said he would support option 1.

Councillor McInroy said when staff assessed the subdivision application they missed a couple of paragraphs in the document as did Mr. Armoyan and/or his solicitor. He said he finds that hard to believe and finds it somewhat disturbing for someone to suggest that when a motion is put before council and lost, it is in keeping with council's intention to come back and try again. He said there may have been commitments made or options given to ratify this but he is not comfortable with the way things are.

Mr. Butler said on July 25th there was a motion made to require sidewalks to be installed and at that time the belief was that sidewalks were discretionary. That positive motion to require the sidewalks was defeated by virtue of a 9/9 tie. He said everyone, on July 25, walked out of the room believing that sidewalks would not be required along that portion of Millwood Drive. He said that was not the case. To make direction operative was subsequently determined that actual amendments would have to be made to the PUD agreement and that was the basis of the November 1st report. The decision that everyone thought council made on the July 25th needed to be implemented through these specific amendments. That was the basis of their tabling of the November 1st report.

Councillor McInroy said that once staff realized that they had overlooked the content of that document they should have realized that council was labouring under a misconception and should not have advanced the amendment and should, in his view, come back with some advise or let the matter lie.

Councillor Hache said that the PUD has been in existence since 1978 and it requires sidewalks so therefore

It was moved by Councillor Hache, seconded by Councillor Brill:

'THAT COUNCIL ADOPT OPTION #1 TO REQUIRE THE DEVELOPER, THE DEPARTMENT OF HOUSING AND CONSUMER AFFAIRS, TO INSTALL SIDEWALKS AT IT'S OWN COST'

Mayor Ball said this is reaffirming the PUD agreement of 1978 and that council is not willing to change it's position.

Councillor Peters asked if the Department of Housing tender the work to developers and is this something that would normally be in a contract that a developer should be aware of. Is it an area rate situation that sidewalks are applied but are costed back.

Mr. Butler said this is the first instance in Millwood that he is aware of where the Department of Housing has not actually done the subdivision and actual construction of roads and services and sold the lots. He said normally the Department of Housing gets to the point where lots can be sold and then individual builders might purchase lots to build houses. This is the first instance in this particular PUD area where the responsibility for obtaining subdivision approval and doing all the necessary service installation was given to a third party.

Councillor Peters said she understands what the staff report is saying but is having trouble with the developer having to pay for sidewalks. She said if staff is partially responsible for the misunderstanding then there should be some kind of negotiation. She asked if it was possible to go back to the Department of Housing. She said why should a business person have to foot the bill when there has been some misleading information to council.

Mr. Butler said the planning department does accept some responsibility but he does not know what all the discussions where between the developer and the Department of Housing. He said it may not have been made clear by either/or, or to either party, that sidewalks were required.

Councillor Peters the premise is yes the county wants sidewalks but not area rates. Said if this is set aside then what is an equitable way to deal with it because there has been a problem. She said she cannot support the motion to put the entire bill on the developer.

Mayor Ball asked if the Department of Housing assign their development agreement to their PUD to the Armoyn Group, their rights and obligations. Mr. Butler confirmed this.

Mayor Ball said so whatever the contract was back in 1978, and if that contract was inclusive of sidewalks, they assigned that contract to the developer. Mr. Butler confirmed that the Armoyn Group is subject to the same conditions.

Mayor Ball confirmed that the PUD does not alter in assignment of obligations and that the obligations are just transferred from one party to another and they must uphold it. Mr. Butler confirmed this.

Mayor Ball said if there was not a third party involved in this and it was back to the Department of Housing has the Department, in the past, developed sidewalks and it becomes a betterment or lot charge to that whole unit development that they have done. Mr. Butler confirmed that is what was done in the past.

Mayor Ball said in actual fact it is not necessarily an absorption of costs by the developer but an absorption of costs by the home owner when they purchase the property. Mr. Butler confirmed that this is probably the way it has been done.

Councillor Bates said at the original meeting he was not in favour of the sidewalks being removed. He said council changed it all. He said Mr. Armoian left with the understanding, notwithstanding what was in the PUD agreement, he now has the ability to develop that area and not put the sidewalks in there because council amended it. He said now council is going to go back and say "sorry" and you pay the \$16,000 because we made a mistake. He said it wasn't the developer. He said council defeated the motion and did not want to go along with what had been the status quo in the past for development in that area. He said if the developer is willing to negotiate he feels the county should be willing to negotiate but he does not feel that the county, under any circumstances, should say that the developer pay for the sidewalks. He said he feels that if the developer is willing to negotiate on cost sharing then that is the route council should follow.

Councillor Brill said the Sackville Community Council did not support the motion and if it is felt that Option 3 should be adopted, he would hope that the funds would come out of the general revenue as opposed to just Sackville's revenue. He said he would support Option 3 if it is from the general rate but, if not, then he feels Option 1 is the option to choose.

Councillor McInroy said if the Department of Housing withheld information from the prospective buyer and if the perspective buyer and/or his solicitor and engineers did not look at the map provided, which clearly shows the site and identifies sidewalks, and if the Department of Housing didn't point out to and the developer didn't see various sections for the PUD which say a sidewalk is required and if the developer interprets a defeated motion to mean that council amend the PUD, he would find it difficult to believe that they all would miss the requirement. He said there was a contract entered into between the developer and the Department of Housing. The contract remains unchanged. He said the council was not apprised of the fact that it required sidewalk construction when that question came before council so the contract remains as it was executed by the developer and the Department of Housing. He said he does not believe that this went unnoticed by everyone who was involved in the purchase and development of the plan.

Mr. McLellan said it is regrettable that staff was not on top of this issue at the time in pointing out that the sidewalks were required. He said the freedom of choice was not there unless the PUD agreement was amended. He said it is hard to believe that this could not have been recognized as a requirement from the outset. He said the fact of the matter is that it was overlooked and the overlooking of it became an element in the discussion and the wrong decision took place with regard to the sidewalk but there is no getting around the fact that they are a requirement. He said to him the choices are either Option 1 or 2. He said he does not see Option 3 as an option.

Mayor Ball said if, on July 25th, the correct motion was made the correct motion would have been something to the effect that we will amend the PUD to delete sidewalks from the agreement. He said the question then would have been if council came up with a 9/9 tie, because council did not pass the motion, it would be saying that the sidewalks were being left in the PUD agreement. If it was worded properly from the outset, in that respect, then council would not be dealing with this today. He said to him the 9/9 tie meant there would be sidewalks.

Councillor Hendsbee said that his recollection was that the public hearing was to deal with reconfiguration of lots. Mr. Butler confirmed this.

Councillor Hendsbee asked if it was being said that the Department of Housing was responsible even though the work was subcontracted out to the developer. Mr. Butler confirmed this. He said that all council really affected that night was the designation from high density to low density. He said there was no change made relative to sidewalks.

Mayor Ball said all council did was to change the zoning from high density to lower density of housing. He said the Department of Housing is the contractor and they has assigned their obligations to a third party and those assigned obligations the same rights and obligation must be assumed as if it was the Department of Housing. He said that can't alter unless council wishes to alter the agreement.

Deputy Mayor Cooper said the way PUD By-laws and agreements are written the Housing Commission is specifically designated as the developer of the properties under those by-laws and agreements. He said under the development of those two properties is the preparation, including streets, sewers, water and whatever servicing is necessary, to bring those lands to the point where they can be sold for development by others. He said if the Department of Housing decided to assign those rights they could not do it without coming to the municipality and, in his opinion, they have mislead everybody involved in this. He said it is his belief that they do not have the authority to make that

assignment without the agreement of the municipality.

Mayor Ball said it is his understanding that the rights and obligations can be assigned as long as the parties involved are not going to be affected.

Deputy Mayor Cooper said that the agreement says that minor amendments may be done by staff but major amendments must be done with the agreement of council and the Department of Housing. He said he does not see that the municipality agreed to either of those situations and therefore, he would suggest that the Housing Commission may have misled the developer by not telling him he was responsible for that. He said also, there was no indication from staff of those situations at the time.

Mr. Carmichael said he is not sure, in fact, if it is accurate to say that the agreement had been assigned in the first place. Throughout this piece the Armoyan Group Limited has been acting as agents appointed by the Department of Housing to seek amendments to the PUD agreement. That in itself did not constitute an assignment of the agreement. He said as far as he is aware there wasn't a specific assignment of the rights and obligations of the Department of Housing to the Armoyan Group Limited. He said he does not know if there was a formal assignment or not. He said with regards to requiring the consent of the municipality to the assignment; ordinarily for an agreement to be assigned there has to be consent of both parties unless the terms of the agreement otherwise provide. He said in this case he is not sure if there ever has been a formal assignment and it is his understanding, from staff, there hasn't been a formal conveyance from the Department of Housing to Armoyan Group. He said it is his understanding that the municipality is still dealing with the Department of Housing.

Deputy Mayor Cooper said that the Department of Housing are aware of the requirement sidewalks. He said he feels the county has no responsibility to them with regards to not requiring them to build sidewalks. He said he feels the plans were put there and it is up to the municipality to maintain those services with future residents should be entitled to without cost.

Mayor Ball asked who was initiating the sidewalk changes.

Mr. Butler said the change is simply to put on the table what would reflect what council's direction of July 25th was intended to do.

Mayor Ball asked who was requesting the change in the PUD. Is the request for the change coming from the Housing Commission as developer or the agent?

Mr. Butler said this change is being put forward by the

developer. The Department of Housing has indicated that it has no difficulty in supporting this change. He said it is his understanding that it is under purchase and sale agreement and there has been no official transfer throughout this. He said the Armoyan Group Limited is acting as the agent of the Department of Housing in seeking the subdivision approval. He said the Armoyan Group has the approval of Housing to pursue the subdivision approval of these lots. He said at the present time it the sidewalks are not in there are no subdivision approvals. He said the sidewalks must be installed before the lots would be approved.

Mayor Ball said the choices are to keep the status quo of the PUD agreement or make the decision that sidewalks aren't necessary in that portion of Millwood.

Councillor Sutherland said from his perspective sidewalks are required.

Councillor Peters said the point of issue is whether or not sidewalks are needed or not but rather a question of how it is funded. She said she would have difficulty with not making a motion or leaving it the way it is because she doesn't know who owns it, who is going to pay for it - the developer or the Department of Housing. She said she can't support any motion until this is clarified.

Mayor Ball said there is a PUD agreement and Mr. Armoyan has a purchase to sell agreement with the province which is contingent upon certain points that he would like to see addressed and, if those points are addressed, then it will be purchased. If it is not addressed, it will not be purchased but the PUD land is still there and the agreement is in place.

Mayor Ball confirmed with Mr. Butler that the 1978 agreement included sidewalks regardless of the kind of development.

Councillor Peters said she feels a letter should go from council to the Department of Housing saying that to clear up any misinformation they are required to have the sidewalks.

Mayor Ball said it the motion is withdrawn the terms of the PUD agreement are in existence. He said the difficulty arises with regards to a third party involvement.

Mover and seconder agreed to the withdrawal of the motion.

Councillor Reid said he feels this item should be deferred until the next council session when Department of Housing and Mr. Armoyan can come forward with the agreement they have made in relation to what occurred at the July 25th public hearing. He said it is his understanding that an agreement has been signed

since then based on the decision that they thought council made. If that is the case then council has to be privy to that information; know what the agreements were and whether or not sidewalks were included as part of the agreement. He said if sidewalks were not included as part of the agreement then he feels the municipality has to accept some of the responsibility for creating some question in peoples minds as to whether sidewalks should be there or not.

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

'THAT THIS BE DEFERRED UNTIL THE NEXT COUNCIL SESSION'

Deputy Mayor Cooper said he would like to have the original submission circulated to council.

MOTION CARRIED

REPORT - CHAIR, COUNTY BOARD OF HEALTH

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

'THAT THE BOARD OF HEALTH MEMBERSHIP BE DEFERRED TO THE DECEMBER 6, 1994 COUNCIL SESSION'

MOTION CARRIED

REDISTRIBUTION COMMITTEE - COUNCILLOR RANKIN

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

'THAT THE NOMINATING COMMITTEE CONVENE TO STRIKE A REDISTRIBUTION COMMITTEE'

Mayor Ball said that he feels it is premature at this point to establish a committee to set up boundaries for the implementation of something when council does not know what is going to be implemented.

Councillor Peters asked if the municipality was going to be examining the Hayward report with regards to boundaries and how it impacts on the municipality. She asked if this motion could be deferred until the next council session and also if the Redistribution Committee is reenacted that it contain a percentage of the existing members.

Mayor Ball said at the present time there is no information on what the model or process will be.

MOTION CARRIED

NOMINATION COMMITTEE REPORT

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

'THAT THE NOMINATION COMMITTEE REPORT BE APPROVED'

MOTION CARRIED

MEMORANDUM RE: PUBLIC HEARING DATES

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

'THAT DECEMBER 19, 1994 AT 6:00 P.M. BE SET AS THE DATE AND TIME FOR THE PUBLIC HEARING TO HEAR APPLICATION FILE NO. ZA-F&S-12-94 - AMENDMENTS TO THE LAND USE BY-LAW FOR PLANNING DISTRICTS 14 AND 17'

MOTION CARRIED

FCM BOARD OF DIRECTORS

It was moved by Councillor Rankin, seconded by Councillor Brill:

'THAT MAYOR BALL BE RATIFIED AS A MEMBER ON THE BOARD OF DIRECTORS OF FCM'

MOTION CARRIED

DISCUSSION RE: AMALGAMATION

It was moved by Councillor Giffin, seconded by Councillor Mitchell:

'THAT HALIFAX COUNTY ADOPT THE UNIFIED APPROACH WITH RESPECT TO AMALGAMATION'

MOTION CARRIED

APPOINTMENT - DEVELOPMENT OFFICER - SACKVILLE BRANCH OFFICE

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

'THAT ROSEMARY MACNEIL BE APPOINTED AS THE DEVELOPMENT OFFICER FOR THE SACKVILLE BRANCH OFFICE FOR THE PERIOD FROM NOVEMBER 21, 1994 TO MARCH 10, 1995, ACCORDING TO THE PROVISIONS OF THE PLANNING ACT'

MOTION CARRIED

SECOND AND THIRD READING - BY-LAW NO. 63, THE ANIMAL DEFECATION

BY-LAW

Mayor Ball outlined the public hearing procedure followed with respect to the Second and Third Reading of a By-law.

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

'THAT BY-LAW NO. 63, THE ANIMAL DEFECATION BY-LAW BE GIVEN SECOND READING"

SPEAKERS IN FAVOUR

No speakers.

SPEAKERS IN OPPOSITION

No speakers.

MOTION CARRIED

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

'THAT BY-LAW NO. 63, THE ANIMAL DEFECATION BY-LAW BE GIVEN THIRD READING"

MOTION CARRIED

RDA RECOMMENDATIONS

Councillor Peters said the document being presented has been amended from the original document basically on a point of a few clarifications but the general gist has remained the same. She said a number of suggested recommendations came in from the committee. She said the province, the county and the federal government will be cost sharing. She said technically it was proposed that \$300,000 worth of operating capital split three ways. She said this report is requesting that the county's existing budget for economic development through the Halifax County Industrial Commission (\$225,000). She said the recommendation for this committee is the need for \$475,000 referenced on page 61 of the report. She said Mr. Roberts covering letter outlines what would and would not be involved on that basic concept. She said the \$475,000 would require \$100,000 from the federal government, \$100,000 from the provincial government and the remainder from the county which would mean the county, on next years budget, add almost another \$50,000 to the budget that was approved this year. She said this budget would allow for some extensive project development and implementation and the salaries are at the low end as has been calculated. She said the Minister of Economic Development has indicated that

there would be 12 RDA's in the province and there has been no indication of that having changed regardless of what happens with the super city. She said this has to be in place by the end of January. If this is approved tonight then this could then be submitted to the other funding partners for their share. She said they have been advised that it will take approximately six weeks to get that funding through and that would put the county on target with January 1, 1995. She said there will be an interim committee working on this process and they will be requiring the director to be hired as soon as possible to get things underway.

She said, as stated by Mr. Roberts, the proposed budget does not include management promotion of industrial parks - this may be taken care of under the new GEDA arrangement. It does not include external promotion of Halifax County; delivery of Human Resource Development Services; financial assistance to business and communities and maintaining communications and a PR staff person. The basic idea behind an RDA is that it would be established and functional for the RDA area. Groups or organizations would come in with a project, apply for funding, the RDA would review that and work with them on it and go to the funding agencies to help them get that funding to get their project up and going. She said they are asking council to endorse maintaining the budget and look forward to increasing it by the additional \$50,000 in 1995.

It was moved by Councillor Peters, seconded by Councillor Brill:

'THAT COUNCIL ENDORSE THE RDA RECOMMENDATIONS'

Councillor Hendsbee said he is in support of this document and the process. He said he is pleased to see that Preston was given it's own designation.

Councillor Reid said the \$475,000 figure proposed for the 1995/96 fiscal will initially only apply to the first three months of 1995. The province will allocate funds on the basis of their \$100,000 share along the federal share. He the county would have to allocate funds up to a full share of the \$275,000; however, at this point in time it is not anticipated that those funds will be necessary in the first three months because of the fact that the county will only have the one employee through that time. The actual funding decision for the \$475,000 would be determined at budget time. He said he would urge council to support this document.

Councillor Hendsbee said it was felt that the Preston community may not get the service because of reduction in staff requirements. He said the availability of funds for staffing may have to be addressed at some future date.

Councillor Sutherland asked how soon and who would select the staff people required for these RDA's.

Councillor Peters said it will be by public process advertised in the paper with assistance from the federal and provincial government in conjunction with the interim committee.

Councillor McInroy said he has difficulty in considering Cole Harbour/ Eastern Passage, in terms of growth and economic development, separate and apart from Dartmouth. He said he has a problem with the county establishing a half a million dollar operation.

Councillor Peters said the Minister of Municipal Affairs confirmed that there would be two RDA's; one for the county and one for Halifax/Dartmouth/Bedford. If at a future date there is a way to interact between these two RDA's then it would make sense to do that. She said at the present time the Metro one does not exist and has not been struck. She said the county has received the commitment of \$200,000 from the two levels of government. She said she would like to take the funding that has been offered to the county and put this RDA in place. She said the director of the RDA will be a professional person. She said there is some clarification required, from the province, with regards to the Prestons and at the present time that is outside the RDA. She said there is a recent request to do a business development within the county in which a group has come forward and said they want a more business base and know what their resources are. She said the RDA would come forward with a plan to help them put forward for requesting from the funding agencies to put something like that in place.

Councillor Bates said it seems that sixty percent of the funding is coming from the county which is a change from what it was in the past. He said there the setup could be changed and the funding could be arranged so that Halifax County had the smaller portion and not the sixty percent.

Councillor Peters said the county is not spending any more than it did last year but is asking for another fifty thousand dollars just for some of the things such as promotion, PR and communications that were not budgeted in last year. She said the county will meet the same commitment as last year, kick in fifty thousand, and get two hundred thousand dollars to just operate an RDA.

Mr. McLellan said the Minister of Economic Renewal said the province was going to be doing less and the communities would be required to do more in terms of economic development. He said he can see that in the future the responsibility would be more a community one.

Councillor Reid asked in the area of operational funding, in relation to the county industrial commission, how many dollars did the federal and provincial government provide last year.

Mr. McLellan said they did not provide any funding.

Councillor Reid said then in actual fact this is not a downloading but an upgrading of the operational and administrative systems of industrial commissions across the province. He said it has been reduced from 55 to 12 but they have contributed \$200,000 to the operations of each one of those boards and, on top of that, any money from either the federal or provincial governments that are accrued to residents of Halifax County has to be funded through that RDA. He said for an extra expenditure of fifty thousand dollars the county receives \$200,000 in operational or administrative funds for the development of business, infrastructure and commercial assessment within the county. He said this is a five year cooperative effort.

Councillor Bates said the county seems to have taken over the lead role in something he is not sure the property owners rightfully want to do. He said why should the property owner pay for economic development. He said this should be a people service that the provincial and federal government should be supplying.

Councillor Peters said with regards to the projects that have been going on within the county what has happened is that the municipality did not know where the funding was going or what was going on and the benefit of these projects was lost to the county. She said the staff available to the county was working on a part time basis and was directed to manage industrial parks. She said there was no mandate for economic development.

MOTION CARRIED

REDUCTION IN PAPER USAGE - COUNCILLOR MCINROY

Councillor McInroy said a lot of paperwork that is routinely received is not always of interest to all councillors. He said he would suggest that perhaps a copy of minutes, from the School Board for example, could be posted in the Councillor Lounge and if a copy is needed then it could be made for the requesting councillor. He said this also could be done with the Section 39 approvals. He said he feels there should be an electronic data processing and information system available to council with regards to reports etc.

Mayor Ball said Mr. McLellan and staff could come back with recommendations on how to do a more concise paper flow. He said some information may be legislated to be made available to every

councillor.

Mr. McLellan said because of the departmental moves within house there will be space available to councillors. He said some of this information that is presently being duplicated could be posted in that area. He said a PC could be provided where a lot of the information that is now duplicated could be accessed by councillors.

DARTMOUTH WATER UTILITY - COUNCILLOR MCINROY

Councillor McInroy said if there was any response to the suggestion that a meeting be arranged with representatives of the Dartmouth Water Utility and the City of Dartmouth and the Cole Harbour/Westphal and Eastern Passage councillors.

Mayor Ball said the request had been made on November 3rd and was carbon copied to the chair of the Cole Harbour/Westphal Community Council and Councillor Deveaux. He said the request had been made to Mr. Larry Corrigan and to date a response has not been received.

CONSOLIDATION OF OFFICES - COUNCILLOR BRILL

Councillor Brill said this item was to be discussed at the Executive Committee.

NATURAL RESOURCES - COUNCILLOR GIFFIN

It was moved by Councillor Giffin, seconded by Councillor Hendsbee:

'THAT A LETTER, WITH A COPY TO THE MLA, BE WRITTEN TO THE MINISTER, DON DOWNE, REQUESTING THAT THE UPPER HAMMONDS PLAINS AREA BE DECLARED A LAND TITLE CLARIFICATION AREA AS WAS DONE IN THE PRESTON AREA. HE SAID THERE ARE IN EXCESS OF TEN PROPERTIES THAT NEED SPECIFICATION AND JUDIFICATION"

MOTION CARRIED

DOT, MUNROE SUBDIVISION - COUNCILLOR RANKIN

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

'THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION, WITH A COPY TO BRUCE HOLLAND, THAT THE ENTRANCE OF THE SUBDIVISION BE REPAIRED AND PAVED, THE CURBING BE RENEWED, DRAINAGE BE UPGRADED AND HAMILTON STREET BE REPAVED"

MOTION CARRIED

DOT - COUNCILLOR PETERS

Councillor Peters said that in the community of Fletchers Lake there is a road called Holland Road. At the top of Holland Road where it meets Anthony Lane there is a "T" intersection. On the main road of Holland Road there is a set of Super mail boxes. She said, over six months ago, she requested that a lay-by or a pull-off area be built there because people are having to stop on that road. She said this has not been done. She said she would like a letter to go to the Department of Transportation requesting that they provide provision for a lay-by or a pull-off zone for those super mail boxes and can they either post a "Blind Crest" sign there or have their surveyors examine it. She said she is having complaints from school bus drivers that they cannot see people coming out of Anthony Lane nor people coming up and turning at the top of that crest. She said she would like to have a copy of the letter go to the appropriate department at Canada Post.

It was moved by Councillor Peters, seconded by Councillor Giffin:

'THAT A LETTER, WITH A COPY TO THE MLA, BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION'

MOTION CARRIED

URGENT AGENDA ITEMS

Councillor Reid said he would like to have the solicitor investigate the Nuisance By-law with a view towards establishing the possibility of war games type of operations in Halifax County. He said he would like any amendment to be on a district by district basis. The individual councillors could indicate whether they want to be included or not.

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

'THAT THE SOLICITOR BE REQUESTED TO INVESTIGATE, UNDER THE MISCHIEFS AND NUISANCES BY-LAW, THE INCLUSION, ON A DISTRICT BY DISTRICT BASIS, A WAR GAMES TYPE OF OPERATION IN HALIFAX COUNTY'

MOTION CARRIED

Councillor Bates said when Forest Hills was being developed the PUD agreement had made provision for a commercial lot for a convenience store. He said there had been an elementary school planned for that area but a high school had been built instead which took up more land than what had been designated for the commercial lot. In 1992 there was an amendment made providing another lot - lot 696 was replaced with lot 637. He said people bought properties subsequently and were provided with the

original plan which did not give notice of this change. He said a number of people are upset because the lot is up for sale. He said he has called the Department of Housing and asked them if they would hold this up. He said the Director of Planning has also written them a letter. He said he would like to have a letter written to the Department of Housing asking them to not proceed with the sale of the lot to give the county an opportunity to see if this could be amended and bring it back to an R-1 status.

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

'THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF HOUSING WITH THE REQUEST AS OUTLINED'

MOTION CARRIED

ADDITION OF ITEMS TO DECEMBER 6, 1994 COUNCIL SESSION

Councillor Mitchell - Big Lake
- Infrastructure

Councillor Fralick - Update on Traffic Lights on Highway 3 and Route 333 in district 3

Councillor Peters - DOT
- Canada Post
- Unsightly Premises

Councillor Giffin - Department of Education

Councillor McInroy - Harbour Clean-up
- Millwood PUD

Councillor Rankin - DOT, Parkdale

IN-CAMERA ITEM

It was moved by Councillor Giffin, seconded by Councillor Mitchell:

'THAT COUNCIL MOVE IN-CAMERA'

MOTION CARRIED

Council agreed to move out of camera.

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

'THAT COUNCIL APPROVE THE RECOMMENDATION'

COUNCIL SESSION

33

NOVEMBER 15, 1994

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Meade:

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

COMMITTEE OF THE WHOLE

November 4, 1994

PRESENT WERE: Mayor Ball
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Deveaux
Councillor Bates
Councillor Hendsbee
Councillor Levy
Councillor Dooks
Councillor Smiley
Councillor Reid
Councillor Naugle
Councillor Peters
Councillor Giffin
Councillor Hache
Councillor Scratch
Councillor Harvey
Councillor Turner
Councillor McInroy
Deputy Mayor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
Nancy Dempsey Crossman, Municipal Clerk
Fred Crooks, Municipal Solicitor

=====
The meeting was called to order by Mayor Ball.

NOMINATION COMMITTEE REPORT

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

'THAT THE NOMINATION COMMITTEE REPORT BE RECOMMENDED TO
COUNCIL FOR ADOPTION'

MOTION CARRIED

MEMORANDUM RE: PUBLIC HEARING DATES

It was moved by Deputy Mayor Cooper, seconded by Councillor
Bates:

'THAT IT BE RECOMMENDED TO COUNCIL THAT DECEMBER 19,
1994 AT 6:00 P.M. BE RATIFIED AS THE DATE AND TIME FOR
THE PUBLIC HEARING TO HEAR APPLICATION FILE NO. ZA-F&S-
12-94 - AMENDMENTS TO THE LAND USE BY-LAW FOR PLANNING
DISTRICTS 14 AND 17'

MOTION CARRIED

FCM BOARD OF DIRECTORS

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

'THAT IT BE RECOMMENDED TO COUNCIL THAT MAYOR BALL BE RATIFIED AS A MEMBER ON THE BOARD OF DIRECTORS OF FCM'

MOTION CARRIED

DISCUSSION RE: AMALGAMATION

Mayor Ball gave a verbal report resulting from a meeting with the Minister of Municipal Affairs. He said procedure and boundary issue, protection service and other details will be worked out. There will be public involvement as the process unfolds. Community Councils and Committees will be kept in tact. He said Mr. Grant Morash has been appointed as the Coordinator. He said the Hayward Report is the premise of this. He said there will be an election sometime in November of 1995 with the swearing in of the new council in December of 1995 and implementation of the new super city April of 1996. He said there would be an overlap between the old and new council's until April, 1996. He said the second election of that new council would be in October, 2000.

After discussion and a question and answer period by members of council:

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

'THAT IT BE RECOMMENDED TO COUNCIL THAT HALIFAX COUNTY ADOPT THE UNIFIED APPROACH WITH RESPECT TO AMALGAMATION'

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Deveaux:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

PUBLIC HEARING

NOVEMBER 7, 1994

THOSE PRESENT:

Councillor Reg Rankin
Councillor Ken Fralick
Councillor Deveaux
Councillor Ben Bates
Councillor David Hendsbee
Councillor Kenneth Levy
Councillor Bill Dooks
Councillor Judy Smiley
Councillor Jim Reid
Councillor Brian Naugle
Councillor David Merrigan
Councillor Jack Brill
Councillor Gordon Snow
Councillor Buck Giffin
Councillor Colleen Hache
Councillor Theresa Scratch
Councillor Robert Harvey
Councillor Frank Sutherland
Councillor Lynn Turner
Councillor Harry McInroy
Deputy Mayor Ron Cooper

ALSO PRESENT:

Nancy Dempsey Crossman, Municipal Clerk
Robert Carmichael, Municipal Solicitor
Julia Horncastle, Recording Secretary

REGRETS:

Mayor Randy Ball
Councillor Mitchell
Councillor Meade
Councillor Peters

=====

CALL TO ORDER

The meeting was called to order at 6:00 p.m. with the Lord's Prayer. Mayor Ball outlined the procedure followed for a public hearing.

1. RA-F&S-20-94-17 - APPLICATION BY THE MUNICIPALITY TO REZONE LANDS ON HOWE AVENUE IN FALL RIVER FROM P-2 (COMMUNITY FACILITY) ZONE TO R-1b (SUBURBAN RESIDENTIAL) ZONE

The Staff Report was presented by Tony O'Carroll who advised that the application is by the Municipality to rezone lot 41S in the Schwarzwald Subdivision located in Fall River from P-2 to R-1B. The property is owned by Framway Developments, the regional developer of the subdivision. In 1978 the land was given to the Municipality for parkland purposes. At the request of residents the land was exchanged and another parcel in an abutting subdivision was exchanged for lot 41S and another lot in the Schwarzwald Subdivision. The land at the time was not rezoned, the