

COMMITTEE OF THE WHOLE

April 4, 1995

PRESENT WERE: Mayor Ball
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Bates
Councillor Hendsbee
Councillor Levy
Councillor Dooks
Councillor Smiley
Councillor Reid
Councillor Naugle
Councillor Peters
Councillor Merrigan
Councillor Brill
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
Julia Horncastle, Recording Secretary

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The meeting was called to order at 3:00 p.m.

Councillor Rankin outlined the Scenarios suggested to make up the 24 districts for the Regional Municipality.

Mr. Tony O'Carroll made a presentation outlining the areas the boundaries encompassed by these districts.

After a discussion period:

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

"THAT THE REPORT AS PRESENTED, WITH SCENARIO'S 7.1 AND 6.2, BE ACCEPTED WITH THE EASTERN DISTRICT TO FOLLOW THE LINE DRAWN BY THE DEPARTMENT OF TRANSPORTATION. EVERYTHING WEST OF THE LINE TO BE THE RESPONSIBILITY OF THE MUNICIPALITY AND EVERYTHING EAST OF THE LINE BE THE RESPONSIBILITY OF THE DEPARTMENT OF TRANSPORTATION"

It was moved by Councillor Hendsbee, seconded by Councillor

Bates:

"THAT THE COMMUNITY AREAS OF LAKE MAJOR (BEYOND THE DAM) AND LITTLE SALMON RIVER (BEYOND THE BRIDGE) BE INCLUDED WITH THE PROPOSED WESTPHAL/COLE HARBOUR POLLING DISTRICT (APPROXIMATELY 150-200 RESIDENTS)"

AMENDMENT MOTION CARRIED

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

'THAT COMMITTEE LOOK AT SCENARIOS FOR SACKVILLE, BEAVERBANK AND DISTRICTS 14 AND 17 TO SEE IF THERE IS FEASIBLE WAY TO GET THE COMMUNITY OF INTEREST OF BEAVERBANK CLOSER TO THE SACKVILLE CORE"

It was moved by Councillor Peters, seconded by Merrigan:

"THAT COMMITTEE DEFER DECISION ON THE BOUNDARIES AND BRING BACK A RECOMMENDATION AFTER A RE-EXAMINATION OF THE BOUNDARIES, AS PER COUNCILLOR MERRIGAN'S AMENDMENT, IS DONE"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Merrigan:

'THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

COMMITTEE OF THE WHOLE

April 5, 1995

PRESENT WERE: Mayor Ball
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Bates
Councillor Hendsbee
Councillor Dooks
Councillor Smiley
Councillor Reid
Councillor Merrigan
Councillor Brill
Councillor Giffin
Councillor Hache
Councillor Scratch
Councillor Harvey
Councillor Sutherland
Councillor Turner
Councillor McInroy
Deputy Mayor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
George McLellan, Director of Corporate Services
Nancy Dempsey Crossman, Municipal Clerk
Julia Horncastle, Recording Secretary

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The meeting was called to order at 2:00 p.m.

BUDGET PRESENTATION

Mr. McLellan outlined a suggested procedure to follow during budget discussions. He suggested that the budget items be dealt with on a department by department basis with individual department heads overviewing their budgets for council's consideration.

Mr. Peter Dickson overviewed the Planning Department budget.

Mr. McLellan overviewed the Legislative budget.

Mr. Markesino overviewed the Recreation budget.

After a general discussion and a question and answer period:

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

"THAT IT BE RECOMMENDED THAT COUNCIL APPROVE THE RESIDENTIAL TAX RATE AT \$0.895 PER \$100 OF ASSESSMENT AND THE COMMERCIAL TAX RATE AT \$2.251 PER \$100 OF ASSESSMENT"

MOTION CARRIED

9 IN FAVOUR

8 AGAINST

SCHOOL BOARD PRESENTATION

Mayor Ball declared a conflict of interest and Deputy Mayor Cooper took the chair.

Deputy Mayor Cooper introduced Ms. Norma Kennedy, Chair, Halifax County/Bedford District School Board; Mr. Don Trider, Executive Officer and Darrell Youden.

Ms. Norma Kennedy and Mr. Trider made a presentation to council with respect to School Board funding.

Deputy Mayor Cooper thanked the representatives of the School Board for their presentation.

Council agreed to defer consideration of funding until confirmation was received from the Province with respect to mandatory funding.

ADJOURNMENT

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

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

COMMITTEE OF THE WHOLE

April 6, 1995

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

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
Nancy Dempsey Crossman, Municipal Clerk
Julia Horncastle, Recording Secretary

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The meeting was called to order at 2:30 p.m.

REDISTRIBUTION

Councillor Rankin as chair of the Redistribution Committee made a presentation to council.

Tony O'Carroll made a presentation to council with respect to changes in district boundaries in the Sackville area.

After a question period:

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

"THAT THE REDISTRIBUTION REPORT AS PRESENTED, WITH SCENARIO'S 7.1 (BEING THE PREFERRED SCENARIO) AND 6.2,

BE ACCEPTED WITH THE EASTERN DISTRICT BOUNDARY TO FOLLOW THE LINE DRAWN BY THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS. EVERYTHING WEST OF THE LINE TO BE THE RESPONSIBILITY OF THE MUNICIPALITY AND EVERYTHING EAST OF THE LINE BE THE RESPONSIBILITY OF THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS. FURTHER THAT THE COMMUNITY AREAS OF LAKE MAJOR (BEYOND THE DAM) AND LITTLE SALMON RIVER (BEYOND THE BRIDGE) BE INCLUDED WITHIN THE PROPOSED WESTPHAL/COLE HARBOUR POLLING DISTRICT"

MOTION CARRIED

PRESENTATION BY MR. WILLIAM HAYWARD

Mayor Ball said this was a Committee of the Whole Session but it had been advertised for members of the public, who would like to make a comment, be in attendance to ask questions or make comments.

Mr. Hayward made a presentation to council.

Members of the public and councillors were given an opportunity to express their views on amalgamation and to bring their concerns to the attention of Mr. Hayward.

Mayor Ball thanked Mr. Hayward for his attendance.

BUDGET PROCESS

Mayor Ball said that if council was going to go forward with the budget process on a department by department basis he was requesting a motion to that effect.

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

'THAT THE PROCESS, ON A DEPARTMENT BY DEPARTMENT BASIS,
CONTINUE"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Meade:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

COMMITTEE OF THE WHOLE SESSION

APRIL 10, 1995

Present Were: Councillor Meade
Councillor Rankin
Councillor Fralick
Mayor Randy Ball
Councillor Deveaux
Councillor Bates
Councillor Hendsbee
Councillor Levy
Councillor Smiley
Councillor Reid
Councillor Brill
Councillor Snow
Councillor Giffin
Councillor Hache
Councillor Scratch
Councillor Harvey
Councillor Sutherland
Councillor Turner
Councillor McInroy
Deputy Mayor Cooper

Also Present: Karen Fitzner, Municipal Solicitor
Nancy Dempsey-Crossman, Municipal Clerk
Gail Foisy, Recording Secretary

Call to order.

The meeting was called to order at 6:07 p.m.

Committee of the Whole Date - Budget.

Mayor Ball advised that a Committee of the Whole session had been scheduled for Wednesday, April 12th, to review the departmental budgets.

Mayor Ball indicated that a press conference has also been scheduled for Wednesday, April 12th at 2:00 p.m. at Halifax City Hall to release the UMA study. The report will be available to Council members at 10 o'clock on Wednesday morning.

Mayor Ball suggested that if Council members wished to attend the press conference, then the Committee of the Whole session regarding the budget deliberations should be postponed or cancelled.

Councillor Hendsbee advised that the reception for the Board of Health is also scheduled for April 12th at 5:00 p.m.

Councillor Bates indicated that we already know there will be no rate increase and therefore suggested approving the rate at the regular Council session.

Deputy Mayor Cooper stated it was the intention that the opportunity be there for Council members to review the departmental budgets.

Councillor Reid noted that it is only a recommendation at this point and felt that Council should still go over the budgets. He indicated that there is a decision to be made relative to the rural parts of the County.

Council agreed to leave it with the Mayor to reschedule the Committee of the Whole session to review departmental budgets.

Committee of the Whole Date - UMA Report.

Mayor Ball noted that there is a joint session with the four Councils scheduled for April 19th at the Citadel Inn.

Mayor Ball indicated that Mr. Meech has suggested that UMA present Council with an overview of the report on April 19th at 7:00 p.m. Council agreed to leave it with the Mayor to confirm the date and time of the UMA presentation.

Adjournment.

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

THAT THE MEETING ADJOURN.

Motion carried.

The meeting adjourned at approximately 6:20 p.m.

COMMITTEE OF THE WHOLE

April 18, 1995

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

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
Nancy Dempsey Crossman, Municipal Clerk
Julia Horncastle, Recording Secretary

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The meeting was called to order at 3:00 p.m.

COST OF SERVICE EXCHANGE RE: ROADS

Mayor Ball said the issue to be addressed is with regards to transportation as it relates to the cost of service exchange and the implications of the costing out of \$3,500. per kilometre. He said if you are East of Musquodoboit Harbour, Dutch Settlement and Musquodoboit Valley the Province is paying for providing the service with no municipal contribution. He said if you are South of Tantallon turn off the Province will be providing the service with no municipal contribution. He said the area that is taken under this \$3,500/km is the core area between those areas.

Councillors expressed concerns with regards to tax implications and whether or not the areas outside the core areas will be able to afford maintenance and repairs on new roads as they are developed.

Council agreed that no action or recommendation would be forthcoming at this time.

ADJOURNMENT

It was moved by Councillor Merrigan:

"THAT THE MEETING WOULD BE ADJOURNED"

MOTION CARRIED

COMMITTEE OF THE WHOLE

April 19, 1995

PRESENT WERE: Mayor Ball
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Deveaux
Councillor Bates
Councillor Hendsbee
Councillor Levy
Councillor Dooks
Councillor Reid
Councillor Merrigan
Councillor Brill
Councillor Giffin
Councillor Hache
Councillor Scratch
Councillor Harvey
Councillor Sutherland
Councillor Turner
Deputy Mayor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
Nancy Dempsey Crossman, Municipal Clerk
Julia Horncastle, Recording Secretary

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The meeting was called to order at 3:00 p.m.

REPORT RE PROPOSED SUBDIVISION AMENDMENTS

Sharon Bond, Planning and Development, addressed council and overviewed the proposed subdivision amendments to be addressed at a public hearing scheduled for May 1, 1995.

UMA STUDY

Mayor Ball welcomed Mr. Morris Roy, Project Coordinator, who presented the report to council.

After a question and answer period by members of council, Mayor Ball thanked the representatives for attending and presenting their report to council.

No further action was taken at this time.

ADJOURNMENT

It was moved by Councillor Meade:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

PUBLIC HEARING - MUNICIPAL COUNCIL

APRIL 10, 1995

Present Were: Councillor Meade
Councillor Rankin
Councillor Fralick
Mayor Randy Ball
Councillor Deveaux
Councillor Bates
Councillor Hendsbee
Councillor Levy
Councillor Smiley
Councillor Reid
Councillor Brill
Councillor Snow
Councillor Giffin
Councillor Hache
Councillor Scratch
Councillor Harvey
Councillor Sutherland
Councillor Turner
Councillor McInroy
Deputy Mayor Cooper

Also Present: Karen Fitzner, Municipal Solicitor
Nancy Dempsey-Crossman, Municipal Clerk
Mitch Dickey, Planner, Policy Division
Gail Foisy, Recording Secretary

Call to order.

The meeting was called to order at 6:00 p.m.

File No. ZA-LM-16-94 - Application by 2266482 Nova Scotia Limited to amend the provisions of the C-2 (General Business) Zone under the Land Use By-law for North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston.

Mitch Dickey presented the proposed amendments. He advised that an application was submitted late last year by 2266482 Nova Scotia Limited to amend the permitted uses of the C-2 (General Business) Zone in order to allow for the establishment of a day care centre in a building owned by the applicant.

Mr. Dickey indicated that the proposed amendments were originally presented at a public hearing in January but were rejected by Council. The applicant re-submitted a new application and provided additional information in response to questions raised at the public hearing.

Mr. Dickey advised that final approval has been granted by the Board of Health for a new on-site sewage disposal system which has been designed to accommodate a day care facility of up to fifty children.

Mr. Dickey further advised that the Department of Transportation & Communications has inspected the existing driveway and has advised that it has no problems with the day care being carried out on the property.

Mr. Dickey noted that another question raised was how the provisions for day care facilities were deleted during the plan review process. A review of minutes indicates that there was no discussion pertaining to the deletion of any uses permitted in the C-2 zone.

Mr. Dickey stated that prior to the establishment of a day care on the property, a license would have to be granted by the Day Care Services Division of the Department of Community Services. Inspections have already been carried out by Provincial Day Care Services staff who indicated that the property seems to be appropriate for a day care use. Also, the appropriate Municipal permits would have to be issued and sufficient renovations and alterations would have to be carried out to the satisfaction of the inspectors involved.

Mr. Dickey concluded that based on the original staff report and the additional information provided, staff would recommend that the proposed amendments be approved.

Questions from Council members

None

Speakers in favour of the Application

Ms. Stephanie Daniels advised that she would be the supervisor of the day care which would provide seven jobs. She indicated that a survey was done in the Porters Lake and Lake Echo areas which shows that day care is needed, especially an after hours program.

Questions from Council members

None

Decision of Council

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

THAT THE AMENDMENTS TO THE PROVISIONS OF THE LAND USE BY-LAW FOR NORTH PRESTON, LAKE MAJOR, LAKE LOON/CHERRY BROOK AND EAST PRESTON, BE APPROVED BY COUNCIL AS RECOMMENDED IN THE STAFF REPORT.

Motion carried.

Adjournment.

The meeting adjourned at 6:07 p.m.

**MUNICIPAL COUNCIL
PUBLIC HEARINGS - APRIL 24, 1995**

THOSE PRESENT: Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Mayor Ball
Councillor Deveaux
Councillor Hendsbee
Councillor Levy
Councillor Smiley
Councillor Reid
Councillor Merrigan
Councillor Brill
Councillor Snow
Councillor Giffin
Councillor Hache
Councillor Scratch
Councillor Harvey
Councillor Turner
Councillor McInroy
Deputy Mayor Cooper

ALSO PRESENT: Rob Carmichael, Municipal Solicitor
Nancy Dempsey-Crossman, Municipal Clerk
Paul Morgan, Senior Planner, Policy Division
Susan Corser, Senior Planner, Policy Division
Kurt Pyle, Planner, Policy Division
Gail Foisy, Recording Secretary

Call to order.

Mayor Ball called the meeting to order at 6:00 p.m. He called the roll and explained the procedure for the public hearings.

File No. RA-EP/CB-05-95-13 - Application by Neil Naugle to rezone a property on the north side of the Bissett Road in Cow Bay.

Paul Morgan advised that Neil Naugle has entered into a purchase and sale agreement to acquire a one acre property on the north side of the Bissett Road in Cow Bay. The purpose of the application is to allow for a single unit dwelling which the applicant intends to live in. The current P-3 (Regional Park) Zone does not allow for new single unit dwellings, only existing homes. He showed some slides of the property and surrounding area.

Paul Morgan indicated that in 1981, the former owners of the property conveyed a larger tract of land surrounding this one acre property, but wanted to leave a building lot. The former Department of Lands & Forests did a survey to define the boundaries of the lot. He noted that the property was never shown on the zoning schedule because there appeared to be some error in the closing in the survey done. He indicated that the Municipality relies upon Provincial property mapping which forms the basis for our zoning schedules.

Paul Morgan advised that this property and surrounding lands are designated as a Special Area. The designation has been applied to lands which are considered either environmentally or historically significant. He said that he understood the Minister intends to designate these lands as part of the Coastal Heritage Park System in the future. The municipal planning strategy supports this but specifically says that it is the intention of Council to zone lands which are privately owned for the purpose of permitting low density residential development. Applying the R-6 Zone to this property is consistent with this policy.

Paul Morgan pointed out that the lot has over twice the lot size and required frontage. Also, an access permit can be easily obtained.

Paul Morgan concluded that staff would recommend that the application to rezone the property from P-3 (Regional Park) Zone to R-6 (Rural Residential) Zone be approved.

Questions from Council members - None.

Speakers in favour of the application - None.

Speakers in opposition to the application - None.

Decision of Council

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

THAT THE APPLICATION BY NEIL NAUGLE TO REZONE THE PROPERTY SHOWN IN MAP 2 OF THE STAFF REPORT FROM P-3 (REGIONAL PARK) ZONE TO R-6 (RURAL RESIDENTIAL) ZONE BE APPROVED BY COUNCIL.

Motion carried.

File No. ZA-EP/CB-05-95 - Application to amend the R-2 (Two Unit Dwelling) Zone of the Land Use By-law for Eastern Passage/Cow Bay.

Paul Morgan reviewed the proposed amendments. He advised that when the Municipal Planning Strategy was reviewed in 1993, the minimum standards for the R-2 (Two Unit Dwelling) Zone were increased. The minimum lot area was increased from 6,000 to 7,000 square feet; the minimum frontage was increased from 60 to 70 feet; the minimum front yard setback was increased from 20 to 30 feet; and the side and rear yard was increased from 8 to 10 feet. These changes were due to community concerns over the amount and effect of two unit dwelling developments.

Paul Morgan indicated that the R-2 Zone allows for the development of single unit dwellings but no provision was made to permit them on the basis of smaller lot requirements.

Paul Morgan advised it was his understanding that a developer in the R-2 Zone is interested in developing R-1 homes but under the new by-law standards would have to do it on the basis of the larger lot sizes.

Paul Morgan stated that the amendments in Appendix "A" would allow someone intending to develop single unit dwellings in the R-2 Zone on the basis of R-1 zone standards. It is the opinion of staff that there is no reason to believe that this would be inconsistent with the intent of the municipal planning strategy, so staff would therefore recommend approval.

Questions from Council members - None.

Speakers in favour of the application - None.

Speakers in opposition to the application - None.

Decision of Council

Councillor Deveaux commented that he saw this as a correction to allow anyone who wants to be able to develop single family homes in the R-2 zone.

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

THAT THE AMENDMENTS TO THE R-2 (TWO UNIT DWELLING) ZONE OF THE LAND USE BY-LAW FOR EASTERN PASSAGE/COW BAY AS OUTLINED IN APPENDIX "A" OF THE STAFF REPORT BE APPROVED.

Motion carried.

File No. DA-F&S-16-94-17 - Application by David Clark to enter into a development agreement to permit the expansion of an existing manufacturing and repair business at 19 Sawlor Road in Waverley.

Susan Corser advised that David Clark has applied to expand an existing manufacturing and repair business located at 19 Sawlor Road in Waverley. In expanding the business, Mr. Clark wishes to construct an addition to the existing building. She noted that there is a site plan on Appendix "B" of the draft agreement.

Susan Corser indicated that Mr. Clark manufactures kitchen cabinets, does furniture re-upholstery, and repairs small pumps. The building has existed since 1973 and is a family business.

Susan Corser advised that the property is presently zoned R1-B and that there are no provisions contained in the zone for existing industrial or commercial usage, however, expansions can be considered by development agreement.

Susan Corser showed some slides of the property and surrounding area.

Susan Corser advised that the property is designated as Community Centre, a designation that is applied within Waverley and Fall River, as well as near major highway interchanges, and is intended to provide commercial and service focal areas within the plan area. The base zones under this plan area are the C-1 and C-2 zones, however, neither of these zones permit this type of business. In the designation, however, there are a number of existing industrial and commercial

operations and the designation permits their continued use but any changes or expansions are subject to a development agreement.

Susan Corser indicated that there are a number of criteria that have to be assessed which are contained in Policy P-100. She noted that the proposed expansion would provide additional area for storage of materials, including company vehicles when not in use. There would be no processing or production of hazardous, toxic, or dangerous materials. The expansion would be accommodated within the limitations of the site. Traffic volume is not expected to increase as a result of this expansion. The number of employees would not increase, nor is there any retail component involved.

Susan Corser advised that the Department of Transportation & Communications has not indicated any concerns with this proposal.

Susan Corser noted that in terms of hours of operation, the agreement specifies 8:00 a.m. to 5:00 p.m. from Monday to Friday, and allows flexibility beyond these hours provided that there is no disruption to surrounding uses.

Susan Corser indicated that the location and appearance of the proposed addition are controlled under the development agreement.

Susan Corser advised that the Development Officer requires that the site be maintained in good condition and that the landscaped areas be maintained.

Susan Corser noted that all the criteria in Policy P-155 also have to be satisfied which are outlined in the staff report.

Susan Corser concluded that the proposed expansion to the existing building and the existing business are consistent with the policies of the municipal planning strategy and the terms of the development agreement will ensure an acceptable level of compatibility with surrounding uses, and that staff would therefore recommend approval of the application.

Questions from Council members

Deputy Mayor Cooper noted it indicates that the hours of operation are from 8:00 a.m. to 5:00 p.m., yet we have a second clause which he felt could mean that the operation would be in business twenty-four hours a day.

Susan Corser responded that the main business hours are from 8:00 a.m. to 5:00 p.m. The agreement says that the developer may conduct some office administration, manufacturing, and repair work beyond those hours provided that there is no nuisance, disturbance, or annoyance to his neighbours.

Deputy Mayor Cooper questioned the sense of having the two clauses when Part 6.1 limits the hours and then Part 6.2 extends the hours of operation.

Susan Corser advised that it provides the flexibility if Mr. Clark wants to work late or go in to work on a Saturday. She indicated that Mr. Clark runs a very quiet and tidy business and has been there for 20+ years. She advised that when the planning process was being prepared, Mr. Clark was approached about having industrial

zoning to recognize the existing use and he declined as he felt the development agreement would be the better way to go because he could have input from the community and be more cognizant of his neighbour's concerns.

Councillor Scratch referred to Schedule B and asked if the 4' setback from the lot line was acceptable.

Susan Corser responded that the 4' is the rear yard minimum setback.

Speakers in favour of the application - None.

Speakers in opposition to the application - None.

Decision of Council

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

THAT COUNCIL APPROVE THE DEVELOPMENT AGREEMENT APPLICATION, ATTACHED AS APPENDIX "B" OF THE STAFF REPORT, TO PERMIT THE EXPANSION OF AN EXISTING MANUFACTURING AND REPAIR BUSINESS THROUGH THE CONSTRUCTION OF A NEW ADDITION TO AN EXISTING BUILDING ON THE PROPERTY LOCATED AT 19 SAWLOR ROAD IN WAVERLEY.

Deputy Mayor Cooper expressed concern that we are basically promoting twenty-four hour a day operations and was not sure given the surrounding R-1 homes, whether that is the policy of the Municipality.

Mayor Ball commented that if he was to operate a business and was restricted to the hours of 8:00 a.m. to 5:00 p.m., he might run into a production problem where he had a deadline to meet and might need an extra hour in the evening. He said he understood the comments that it could be interpreted as a twenty-four hour operation, but thought that the flexibility has to be allowed, but that if it becomes obnoxious to the neighbourhood because of continued operation, then it could be deemed in violation.

Deputy Mayor Cooper said that he was a bit concerned about the amount of industrial and commercial operations creeping into our society when Sunday is considered a day of rest.

Motion carried.

File No. RA-F&S-02-95-17 - Application by St. John's United Church to rezone their property at 15 Faucheu Lane in Waverley.

Kurt Pyle presented the application. He advised that an application has been received to rezone the property at 15 Faucheu Lane from P-2 (Community Facility) Zone to R-1B (Suburban Residential) Zone. The purpose is to permit the sale of the property for residential use. The site was previously used by the St. John's United Church as a place of worship and an associated hall. The existing church was constructed in the 1860s and has a floor area of approximately 3400 square feet. Due to the increase in the number of parishioners, it was decided to replace the church with one in Fall River in 1994. He showed some slides of the property and surrounding area.

Kurt Pyle advised that the site is situated within the Community Centre Designation which is intended to provide the commercial and service focus for the plan area. This is implemented through the application of the C-2 (Community Commercial) Zone. Within the Village of Waverley, Council cannot consider new community commercial uses unless the property has direct access to one of the roadways listed under Section 4.28 of the land use by-law, which the site does not and therefore cannot be rezoned to community commercial uses. The remaining lands in Waverley were zoned according to their use. Churches were zoned P-2 and most residential uses were zoned R-1B. Therefore, it is consistent with the intent of the municipal planning strategy to maintain residential zoning on properties within the designation until an application is approved to develop the site for a new community commercial use. As illustrated on Map 2, the majority of the lots on the roadway are zoned R-1B, therefore, approval of the application will give the applicant the same development rights as other individuals along the lane. Also, the requested rezoning would allow the building to be continued as a place of worship but in a much smaller size. Staff would therefore recommend approval of the rezoning application.

Questions from Council members

Councillor Hendsbee questioned whether the property has been designated by the Municipality or the Province as a heritage site, given that it is 135 years old.

Kurt Pyle indicated that the site could possibly be considered as a heritage site.

Mayor Ball stated that he thought the property could be designated as a heritage site if the application was evaluated but it would not prevent residential development.

Councillor Meade advised that there was no application.

Speakers in favour of the application - None.

Speakers in opposition to the application - None.

Decision of Council

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

THAT THE APPLICATION BY THE ST. JOHN'S UNITED CHURCH TO REZONE THEIR PROPERTY AT 15 FAUCHEAU LANE IN WAVERLEY FROM P-2 (COMMUNITY FACILITY) ZONE TO R-1B (SUBURBAN RESIDENTIAL) ZONE BE APPROVED BY COUNCIL.

Motion carried.

Adjournment.

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

THAT THE MEETING ADJOURN.

Motion carried.

The meeting adjourned at 6:28 p.m.

MINUTES & REPORTS
OF THE
FIRST YEAR MEETINGS
OF THE
FORTY-FIFTH COUNCIL
OF
HALIFAX COUNTY MUNICIPALITY
MAY COUNCIL SESSION
TUESDAY, MAY 2 & 16, 1995
&
PUBLIC HEARINGS
MAY 1, 8 & 29, 1995
&
COMMITTEE OF THE WHOLE
MAY 2 & 23 & 29, 1995

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PUBLIC HEARING

May 1, 1995

PRESENT WERE: Deputy Mayor Cooper
Councillor Meade
Councillor Rankin
Councillor Mitchell
Councillor Bates
Councillor Hendsbee
Councillor Levy
Councillor Dooks
Councillor Reid
Councillor Merrigan
Councillor Giffin
Councillor Hache
Councillor Scratch
Councillor Harvey
Councillor Sutherland
Councillor Turner

ALSO PRESENT: Nancy Dempsey Crossman, Municipal Clerk
Julia Horncastle, Recording Secretary
Karen Fitzner, Municipal Solicitor

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The meeting was called to order at 6:00 p.m. with the Lord's Prayer. Ms. Dempsey Crossman called roll.

Deputy Mayor Cooper outlined the procedure followed for a public hearing.

SB-05-95 - APPLICATION BY THE MUNICIPALITY TO AMEND THE
SUBDIVISION BY-LAW IN ORDER TO UPDATE IT TO THE MINIMUM LEVEL
REQUIRED BY CHANGES TO THE SUBDIVISION PROCEDURES OF THE PLANNING
ACT

Staff presentation was made by Mitch Dickey. He said on April 1st the Municipality became responsible for the approval, ownership and maintenance of all new and extended subdivision streets as a result of changes to Provincial legislation. At council's direction both Engineering and Planning staff have been processing applications pursuant to the previous Department of Transportation standards, policies and procedures. Council also directed staff to prepare amendments which update the Subdivision By-law to the minimum level required in order to reflect these municipal responsibilities. He said those amendments are reflected in Appendix A of the staff report dated April 19, 1995.

He said these amendments do not include any new design construction standards. He said they maintain the current

practices and standards clarifying that the Municipality now approves the streets instead of the Department of Transportation. He said the amendments simply consist of adding the words "the Municipality and/or" to the text where the Department of Transportation is mentioned or referenced. He said this now clarifies that the Municipality was now be responsible for approval of every facet of roads. He said it is recommended that these amendments be approved in order to ensure that the Subdivision By-law properly reflects current municipal subdivision responsibilities and requirements under the legislation.

QUESTIONS FROM COUNCIL

No questions from council.

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

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

'THAT THE APPLICATION BY THE MUNICIPALITY TO AMEND THE SUBDIVISION BY-LAW IN ORDER TO UPDATE IT TO THE MINIMUM LEVEL REQUIRED BY CHANGES TO THE SUBDIVISION PROCEDURES OF THE PLANNING ACT BE APPROVED'

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Merrigan:

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

COUNCIL SESSION

May 2, 1995

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

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

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The meeting was called to order at 6:00 p.m. with the Lord's
Prayer. Ms. Dempsey Crossman called roll.

Mayor Ball welcome the President and Executive Director of UNSM
to council.

APPOINTMENT OF RECORDING SECRETARY

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

'THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

'THAT THE MINUTES OF THE MARCH 30, 1995 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

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

'THAT THE MINUTES OF THE MARCH 21, 1995 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE APRIL 4, 1995 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

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

'THAT THE MINUTES OF THE APRIL 10, 1995 COMMITTEE OF THE WHOLE BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE MARCH 13, 1995 PUBLIC HEARING BE APPROVED"

MOTION CARRIED

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

'THAT THE MINUTES OF THE APRIL 10, 1995 PUBLIC HEARING BE APPROVED"

MOTION CARRIED

PRESENTATION BY UNSM

Ms. Madeline Libbus, President, UNSM, addressed council.

After a discussion period by members of council, Mayor Ball thanked the representatives of the UNSM for coming and making their presentation to council.

REPORT - COMMITTEE REVIEWING PROPOSED FIREARMS REGISTRATION LEGISLATION

Councillor Reid introduced Mr. Brian Densmore, Upper Musquodoboit, who runs a small company in the county and is a licensed firearms dealer and collector; Mr. David Anthony, Tangier, a retired RCMP officer who is a registered gun collector and Mr. Ken White, Jeddore.

Mr. Densmore, Mr. Anthony and Mr. White made a presentation to council addressing their concerns as to what effect the Gun Control Legislation would have. They stated that the legislation, if passed, would render any gun they may have in their possession practically useless and devalue them to the extent that they would be worthless as an investment.

Councillor Reid said the bill has now passed second reading and is in front of the committee. He said if council is going to take a position he feels council has to do it at this meeting. He said Mr. Densmore is going to be appearing in front of that committee and will take Halifax County's concerns forward. He said their committee has recommended that the county ask the federal government to withdraw the legislation. He there are a lot of things in the legislation which are very important to achieve in relation to control in Canada but they feel there are also many things in there that mitigate against a legitimate private, law abiding citizen of Canada to own guns. He said on behalf of the thousands of gun owners in Halifax County he would ask this council to submit a request to the Minister and the Federal government of Canada that they withdraw this bill as it now stands and undertake a full consultation type process in Canada to arrive at a conclusion which takes into account the rights and privileges of all Canadians and not just listen to one group of people who has very much influenced the decision of the Minister of Justice in this piece of legislation.

Councillor Reid he realized that not everyone on council is fully familiar with this bill. He said it is long and involved. He said the point the three speakers tried to make is that the invasion of their privacy and their right to own a weapon that is of a certain size. He said some of guns are collectors items and people are not allowed to own them anymore or to do with them what he originally purchased them for. He said the guns were originally purchased by Mr. Densmore as an investment for his childrens education. He said that has now been taken away. He said he owns thousands of dollars worth of guns that are now suddenly practically worthless. He said the federal government has not taken into consideration the effects on gun owners in Canada when they introduced this legislation. He said they listened to a small group of people who are very powerful on Parliament Hill. He said he said he would ask council to respect the rights of those people in Halifax County and Canada who are gun owners. He said they are quite willing to sit down and help Justice Minister Rock develop a piece of legislation that would be fair and effective; however, they have not been given that

opportunity. He said that is all they are asking county council and the federal government to do.

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

'THAT HALIFAX COUNTY WRITE TO THE JUSTICE MINISTER AND THE FEDERAL GOVERNMENT REQUESTING THAT THEY WITHDRAW THIS BILL AS IT NOW STANDS AND UNDERTAKE A FULL CONSULTATION TYPE PROCESS TO ARRIVE AT A CONCLUSION WHICH TAKES INTO ACCOUNT THE RIGHTS AND PRIVILEGES OF ALL CANADIANS"

Concerns were expressed with regards to voting on such an important issue without more information.

MOTION CARRIED

FIRST READING - A BY-LAW TO AMEND BY-LAW NO. 40, THE TOPSOIL BY-LAW

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

'THAT FIRST READING BE GIVEN TO A BY-LAW TO AMEND BY-LAW NO. 40, THE TOPSOIL BY-LAW"

MOTION CARRIED

SECOND AND THIRD READING - A BY-LAW TO AMEND BY-LAW NO. 68, THE WASTE WATER DISPOSAL CHARGE BY-LAW

Mayor Ball asked if there was anyone present wishing to speak either in favour or opposition to the proposed by-law.

No speakers came forward.

Mayor Ball said there is a pollution control charge built into that by-law and he has difficulty because five and a half years ago council put in a waste water management charge to a community that does not receive pollution control. He said the collection was utilized in that community because the money was to be utilized in the Halifax Harbour Clean-up. He said there is no longer a Clean-up but that community is still being charged for a service they are not receiving.

Mr. Crooks said the issue of exemption of an area was not raised in the notice and not raised by the text of the by-law that was advertised and, on that basis, in his opinion it cannot validly be done pursuant to the notice that has been given.

Mayor Ball asked what mechanism could the exemption be done under.

Mr. Crooks said either a further notice or notice of a different amendment proposal or, if council decides to proceed with the passage of the by-law as it is currently framed, then an amendment, which would follow the normal first, second and third reading process would be the appropriate route to put in place an exemption.

Mayor Ball said he is looking for what would be considered to be a fairness.

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

"THAT THE BY-LAW BE GIVEN SECOND READING"

MOTION CARRIED

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

'THAT THE BY-LAW BE GIVEN THIRD READING"

MOTION CARRIED

SECOND AND THIRD READING - A BY-LAW TO AMEND BY-LAW NO. 8, THE MISCHIEFS AND NUISANCES BY-LAW

Mayor Ball asked if there was anyone present wishing to speak either in favour or opposition to the proposed by-law.

Mr. Bert Harris addressed council. He said he was the one who initiated the process. He said shooters are more conscious of safety than any other sporting group. He said he has not heard of any shooting accident on any range. He said he is talking about air guns for competition. He said he has never heard of any fighting or destruction of property at the range. Shooting is a wheelchair sport both nationally and internationally. He said if council is not willing to get rid of a law that prohibits people from legally practising an organized sport what is the sense of the rest of the laws.

Councillor Merrigan asked if there were any ranges in Halifax County that are approved by the Minister of Justice. Mr. Harris said there are.

Councillor Merrigan asked if it was considered illegal if he owned an air gun and transported it to a county other than Halifax County.

Mr. Crooks said such is the case under the by-law as it stands at the moment. He said this by-law is attempting to strike a balance between maintaining some sort of control and to provide

for some identified exceptions that responds to some needs that have been identified.

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

"THAT THE BY-LAW BE GIVEN SECOND READING"

MOTION CARRIED

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

'THAT THE BY-LAW BE GIVEN THIRD READING"

MOTION CARRIED

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

"THAT THE SOLICITOR LOOK AT THIS BY-LAW TO ENSURE THAT THERE IS NO DISCRIMINATION"

Councillor Merrigan said he will provide the solicitor with the specifics.

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

UNSM Withdrawal - Benefit Implications

The Executive Committee re-examined the issue and recommends the reaffirmation of the Municipality's decision to withdraw from the UNSM. Furthermore, the Committee recommends that any additional costs, associated with the withdrawal, relative to the employee's benefits program, be absorbed by the Municipality not the employees.

Councillor Sutherland said he was not in agreement with the recommendation. He said he feels the municipality has received benefits as a result of being a member of the UNSM.

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

'THAT THE RECOMMENDATION OF THE EXECUTIVE COMMITTEE BE REJECTED AND HALIFAX COUNTY STAY AS A MEMBER OF THE UNSM"

MOTION CARRIED

11 IN FAVOUR

10 AGAINST

LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from the Union of Nova Scotia Municipalities.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from Jim Barkhouse, MLA, Chester-St. Margarets acknowledging receipt of a copy of council's correspondence regarding roadside litter in the Western Region.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

Councillor Fralick said he would like to ask the clerk to write the Clean Nova Scotia Foundation stating that the Honourable Jim Barkhouse has suggested that Halifax County use this approach to cleaning up the litter in this area and ask what procedure they suggest the county use.

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

'THAT A LETTER, AS OUTLINED, BE WRITTEN TO THE CLEAN NOVA SCOTIA FOUNDATION'

MOTION CARRIED

3. Ms. Dempsey Crossman outlined a memorandum from E.G. Cramm, Deputy Minister, Department of Municipal Affairs, with regards to Provincial/Municipal Service Exchange implementation and associated concerns.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a letter from Bruce Holland, MLA, acknowledging receipt of a copy of council's correspondence regarding a crosswalk and stop sign in the Greenwood Heights

area.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

Councillor Rankin requested that the letter be referred to the Western Community Council.

5. Ms. Dempsey Crossman outlined a letter from the Minister of Economic Renewal Agency acknowledging receipt of council's correspondence in response to the Municipal Works Program.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

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

'THAT A LETTER BE WRITTEN TO THE MINISTER AND INDICATE COUNCIL'S CONCERNS ABOUT THE FACT THAT THE NON PROFIT ORGANIZATIONS SHOULD NOT BE REQUIRED TO PAY THE AMOUNT OF \$458 IN ORDER TO HIRE A STUDENT AND THAT IF THE PROGRAM IS PUT INTO EFFECT, I.E. THE NOVA SCOTIA EMPLOYMENT PROGRAM FOR STUDENTS, NEXT YEAR THAT SERIOUS CONSIDERATION BE TAKEN REGARDING HALIFAX COUNTY COUNCIL CONCERNS ABOUT THIS MATTER'

MOTION CARRIED

6. Ms. Dempsey Crossman outlined a letter from the Department of Transportation and Communications in response to council's correspondence concerning an erosion problem along the Southeast Passage Road in Eastern Passage.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

7. Ms. Dempsey Crossman outlined a letter from Ron MacDonald acknowledging receipt of a copy of council's correspondence regarding roadside litter.

It was moved by Councillor Hendsbee, seconded by Councillor

Hache:

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

8. Ms. Dempsey Crossman outlined a letter from The Canadian Red Cross to proclaim May 8, 1995 as World Red Cross Day.

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

"THAT THE LETTER BE RECEIVED AND HALIFAX COUNTY PROCLAIM MAY 8, 1995 AS WORLD RED CROSS DAY"

MOTION CARRIED

9. Ms. Dempsey Crossman outlined a letter from the Department of Education in response to council's correspondence with regards to the White Paper.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Rankin said Halifax County's concern as to where the municipality fits within the formula now and in the future has not been addressed.

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

'THAT COUNCIL WRITE AND ASK FOR CLARIFICATION ON WHAT POWERS SCHOOL COUNCILS, THE SCHOOL BOARD AND THE MUNICIPALITY HAVE AS IT RELATES TO AREA RATES"

MOTION CARRIED

10. Ms. Dempsey Crossman outlined a letter from the Department of Natural Resources providing clarification with regards to the establishment of landfill facilities within, or in the immediate vicinity of, candidate protected areas as identified in the Proposed Systems Plan for Parks and Protected Areas in Nova Scotia.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT A LETTER BE WRITTEN TO MINISTER DON DOWNE REQUESTING A STATUS OF THE PROPOSED SYSTEM PLAN FOR THE PARKS AND PROTECTED AREAS IN NOVA SCOTIA WHEREBY FIVE OUT OF THIRTY ONE CANDIDATE SITES ARE WITHIN THE HALIFAX COUNTY BOUNDARIES"

MOTION CARRIED

11. Ms. Dempsey Crossman outlined a letter from Kenzie MacKinnon with regards to Solid Waste Disposal in Halifax County.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

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

"THAT THE CORRESPONDENCE FROM FLINN MERRICK BE REFERRED TO STAFF"

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from A. R. Begg with regards to waste haulers.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from the Halifax County-Bedford District School Board advising that they have received their final funding notification.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

3. Ms. Dempsey Crossman outlined a letter from Marilyn Smith, Recreation Association President, stating that they would like to withdraw their request for 1/6 funding.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

Councillor Hendsbee said he wished to have further clarification on this and he would like to have the issue referred to either the Executive Committee or the Recreation Department for an opinion.

Deputy Mayor Cooper said if the municipality is being asked not to participate in the project perhaps it should consider it's ownership of the property.

Mr. Meech said if the municipality did reconvey the property back to the Association it would mean that the municipality has no legal involvement in the property or the project.

Councillor Merrigan said initially the concern was whether or not, once the building was up and running, whether it could support itself. He said all the Association has done is taken away the cushion to support operating losses.

Mr. Meech said council did not agree to have the one sixth funding set aside for operational purposes. He said the municipality then went back to the Federal and Provincial government to see whether either one of those bodies were prepared to take \$183,000 of their capital grant for that purpose and, in both cases, their regulations will not allow them to do that.

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

'THAT THIS ITEM BE REFERRED TO THE EXECUTIVE FOR FURTHER COMMENT WITH AN OPINION FROM LEGAL STAFF AS WELL AS PROPERTY MANAGEMENT AND RECREATION WITH REGARDS TO THE IMPLICATIONS OF THIS TURNABOUT'

MOTION DEFEATED

2 IN FAVOUR

19 AGAINST

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

'THAT A LETTER BE WRITTEN TO THE ASSOCIATION TO GO AHEAD WITH THE PROJECT"

MOTION CARRIED

Councillor Hendsbee said he would like to have the record reflect that he was opposed to the motion.

Councillor Rankin said he would like to give notice of reconsideration on the motion regarding UNSM.

PLANNING ADVISORY COMMITTEE REPORT

File No. DA-F&S-12-94-14 - Development Agreement Application By George Tsimiklis at Fletchers Lake

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

'THAT THE APPLICATION BE APPROVED AND THAT A PUBLIC HEARING BE SCHEDULED FOR MAY 29, 1995, AT 6:00 P.M."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Greenhead Road Watermain Construction - Contract No. 369-W-94

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

'THAT THE TENDER BE AWARDED TO THE FIRM OF J.R. EISENER LTD. IN THE AMOUNT OF \$96,988.82"

MOTION CARRIED

Recyclable Collection

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

"THAT APPROVAL BE GIVEN FOR AN EXTENSION TO THE PREVIOUSLY APPROVED WEEKLY RECYCLABLE COLLECTION AREA TO INCLUDE BEAVER BANK, KINSAC, AND THE DISTRICT BOUNDARY IN BEECHVILLE, LAKESIDE AND TIMBERLEA AT AN ADDITIONAL COST OF \$1,530.00 PER MONTH"

MOTION CARRIED

Hammonds Plains Fire Commission - \$250,000.00 Loan Request

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