

the fire works are a concern for his fire department. He said the building is on one of the main roads to St. Margaret's Bay. He said it is a situation that has to be addressed.

Mayor Ball suggested that Councillor Giffin meet with the solicitor to try and find a solution.

EXECUTIVE COMMITTEE REPORT

Sidewalk Surplus - District 15

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

'THAT COUNCIL APPROVE THE TRANSFER OF \$45,000 FROM THE DISTRICT 15 SIDEWALK ACCOUNT TO THE DISTRICT 15 CAPITAL GRANT FUND'

MOTION CARRIED

Miller Lake Subdivision - Water System

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

'THAT COUNCIL APPROVE A \$10,000 LOAN TO THE MILLER LAKE HOMEOWNERS ASSOCIATION WITH THE AMOUNT TO BE RECOVERED BY THE LEVYING OF AN AREA RATE OVER A FIVE YEAR PERIOD'

MOTION CARRIED

Subdivision Fees

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

"THAT COUNCIL ADOPT OPTION #3 OF THE STAFF REPORT WHICH STATES THAT A FEE BE CHARGED BASED ON NEW ROAD FRONTAGE, BUT CHARGE MORE WHERE WATER AND SANITARY SEWERS ARE INVOLVED. IT IS SUGGESTED THAT \$5 PER METRE OF ROAD FRONTAGE, PLUS \$5 PER METRE OF WATER LINE INSTALLED, PLUS \$5 PER METRE OF SANITARY SEWER LINE INSTALLED, WOULD BE APPROPRIATE. FURTHER THAT A FLAT APPLICATION FEE OF \$100 BE CHARGED"

MOTION CARRIED

Mr. Crooks informed council that in order to implement that fee it is necessary to establish the fee under the Subdivision By-law as is required by the Planning Act. He said to put this into effect it will be necessary to amend that By-law.

Middle Musquodoboit Water System - Second Block Consumption Rate

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

'THAT COUNCIL APPROVE THAT THE EXISTING SECOND BLOCK RATE FOR WATER CONSUMED IN THE MIDDLE MUSQUODOBOIT WATER SYSTEM COMMENCE AT 50,000 IMPERIAL GALLONS CONSUMED PER QUARTER, REVISED FROM THE 15,180 IMPERIAL GALLON FIGURE"

MOTION CARRIED

Addition - Westphal Fire Station

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

'THAT COUNCIL APPROVE THAT THE FIRM OF J.L. NICHOLS CONTRACTING BE AWARDED THIS PROJECT IN THE AMOUNT OF \$83,440.00 WITH A CONTINGENCY OF AN ADDITIONAL 5% ALLOWANCE TO COVER POSSIBLE UNFORSEEN EVENTS DISCLOSED DURING THE RESTORATION OF THIS BUILDING. FURTHERMORE, IT IS REQUESTED THAT COUNCIL APPROVE A FIVE YEAR DISTRICT LOAN PAYABLE, WITH INTEREST, WITH AN AREA RATE TO BE LEVIED IN THE EVENT OF DEFAULT OF THE PRINCIPAL AND/OR INTEREST REPAYMENT"

MOTION CARRIED

Parkdale Water Booster Station - Contract No. 367W94

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

'THAT COUNCIL APPROVE THE AWARDED OF THE CONTRACT TO THE FIRM OF THREE "C" CONTRACTORS LTD. IN THE AMOUNT OF \$168,500.00"

MOTION CARRIED

Capital Grants Re: Cultural and Recreational Facilities

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

"THAT THE FOLLOWING CAPITAL GRANTS RE: CULTURAL AND RECREATIONAL FACILITIES BE APPROVED:

Eastern Passage/Cow Bay Softball Fields	\$15,000
Kinsmen Club of Sackville	\$50,000
Atlantic Canada Aviation Museum	\$25,800
St. Margaret's Sailing Club	\$12,366
Sheet Harbour and Area Board of Trade	\$25,330

MOTION CARRIED

Capital Grant Requests

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

"THAT THE FOLLOWING CAPITAL GRANT REQUESTS BE APPROVED:

District Parkland Grant	District 1	\$ 350.00
District Parkland Grant	District 1	\$ 315.00
General Parkland Grant		\$1,500.00
District Parkland Grant	District 3	\$4,000.00
District Capital Grant	District 3	\$1,500.00
District Parkland Grant	District 3	\$1,500.00
District Capital Grant	District 2,3,4	\$2,250.00
District Capital Grant	District 5	\$ 870.00
General Parkland Grant		\$ 870.00
District Parkland Grant	District 9	\$1,000.00
District Capital Grant	District 10	\$1,500.00
General Parkland Grant		\$1,500.00
District Capital Grant	District 11	\$1,000.00
General Parkland Grant		\$2,500.00
General Capital Grant		\$1,200.00
District Capital Grant	District 12	\$1,200.00
District Capital Grant	District 17	\$1,195.00
General Parkland Grant		\$1,195.17
District Capital Grant	District 23	\$3,250.00
General Parkland Grant		\$3,250.00
District Capital Grant	District 25	\$2,000.00
General Parkland Grant		\$2,000.00
District Capital Grant	District 8	\$3,000.00
General Parkland Grant		\$3,000.00

MOTION CARRIED

Withdrawal From Special Reserve

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

'THAT COUNCIL APPROVE THE FOLLOWING WITHDRAWAL FROM SPECIAL RESERVE:

WSR95/96-01 - PRINCIPAL REPAYMENT - \$1,232,000"

MOTION CARRIED

\$210,000 Loan Request - District #4 Recreation

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

'THAT COUNCIL APPROVE A \$210,000 TEN (10) YEAR LOAN ADVANCE TO THE DISTRICT #4 RECREATION FOR THE PURPOSE OF DEVELOPING A COMPETITION GRADE SOCCER PITCH, A REGULATION BALL DIAMOND AND COMPETITION HORSE SHOE PITS ON A SEVEN ACRE PARKLAND SITE IMMEDIATELY ADJACENT TO THE BROOKSIDE JR. HIGH SCHOOL IN DISTRICT #4. THE LOAN IS REPAYABLE WITH INTEREST AND COUNCIL RESERVES THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF PRINCIPAL AND/OR INTEREST REPAYMENT"

MOTION CARRIED

Borrowing Resolutions

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

'THAT BORROWING RESOLUTION TBR93/94-02, STREETS (LAKESIDE INDUSTRIAL PARK) IN THE AMOUNT OF \$750,000 BE APPROVED"

MOTION CARRIED

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

"THAT BORROWING RESOLUTION TBR93/94-06, SEWER (BEAVERBANK) IN THE AMOUNT OF \$450,000 BE APPROVED"

MOTION CARRIED

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

'THAT BORROWING RESOLUTION TBR93/94-07 SANITARY SEWER (FIRST STREET) IN THE AMOUNT OF \$44,000 BE APPROVED"

MOTION CARRIED

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

"THAT BORROWING RESOLUTION TBR93/94-08 WATER (BEAVERBANK ROAD) IN THE AMOUNT OF \$48,000 BE APPROVED"

MOTION CARRIED

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

'THAT BORROWING RESOLUTION TBR93/94-10 SEWER (BEAVERBANK ROAD) IN THE AMOUNT OF \$50,000 BE APPROVED"

MOTION CARRIED

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

'THAT BORROWING RESOLUTION TBR93/94-12 SEWER (MACPHERSON/LOCKVIEW) IN THE AMOUNT OF \$2,000,000 BE APPROVED"

MOTION CARRIED

Issue of Supplementary Agendas - Council

Council agree to receive the information.

Second Entrance - Greenwood Heights - Maplewood, Timberlea

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

"THAT COUNCIL APPROVE THE CONSTRUCTION OF AN ADDITIONAL ENTRANCE TO THE GREENWOOD HEIGHTS - MAPLEWOOD SUBDIVISION IN TIMBERLEA FURTHER THAT APPROVAL BE GIVEN FOR \$60,000 FROM THE CAPITAL GRANT FUND, THAT APPROVAL BE GIVEN TO SET AN AREA RATE TO RECOVER \$60,000 FROM RESIDENTS RECEIVING THE BENEFIT OF THE IMPROVEMENT AND THAT REQUESTS FOR FUNDING ASSISTANCE OF \$240,000 BE MADE TO THE PROVINCE. IT IS ALSO RECOMMENDED THAT THIS APPROVAL BE GIVEN CONTINGENT UPON APPROVAL OF OTHER FUNDING SOURCES"

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

'THAT DECISION ON THIS ITEM BE DEFERRED TO THE JULY 4, 1995 COUNCIL SESSION"

MOTION TO DEFER DEFEATED

ORIGINAL MOTION CARRIED

Summer Meeting Schedule - Executive Committee

Council agreed to receive the information.

Councillor Merrigan gave Notice of Reconsideration with respect to Beaver Bank Servicing.

Councillor Deveaux referenced the letter from the Halifax - Dartmouth and District Labour Council regarding Bill C-76 which had been referred to the Executive Committee from a previous Council session. He said he would request that staff research whether the Bill has gone through the House and if not then that letter come back to one of the summer sessions.

MILL COVE TREATMENT PLANT EXPANSION

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

'THAT THE LOW TENDERER MAXIM CONSTRUCTION BE AWARDED THE MILL COVE TREATMENT PLANT GENERAL CONTRACT PACKAGE NO. 1 IN THE AMOUNT OF \$5,079,531.00"

MOTION CARRIED

RECREATION, DISTRICT 4 - COUNCILLOR MITCHELL

Councillor Mitchell said he would like to request that Mr. Haywards approval be sought, as soon as possible, with respect to the loan to the District 4 Recreation.

REPORTS

Council agreed to receive the reports for information.

URGENT AGENDA ITEMS

No items.

ADDITION OF ITEMS TO JULY 4, 1995 COUNCIL SESSION

Councillor Peters - Department of Transportation

Councillor Meade - Department of Transportation

MOTION OF RECONSIDERATION

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

'THAT THE MOTION RE: BEAVERBANK SERVICING BE

RECONSIDERED"

MOTION DEFEATED

ADJOURNMENT

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

'THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

PUBLIC HEARING

June 19, 1995

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

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

=====  
The meeting was called to order with the Lord's Prayer. Ms. Dempsey Crossman called roll.

Mayor Ball outlined the procedure followed for a public hearing.

File No. DA-F&S-06-96-17-A1 - Amendments to a Development Agreement to allow for additional floor area in a residence on the property of William and Moira Cherrett

Mr. Paul Morgan made the staff presentation. He said the property is a waterfront property on Lake William. He said the property has a waterfront residential zone and there are no provisions for any new residential development or expansion by right. He said this zone has been placed on undersized properties. He said this property has an area of just over four thousand square feet and is serviced by an on site disposal system. He said under current regulations the minimum lot size for a waterfront lot is forty thousand square feet under optimum soil conditions.

The Cherrett's had a cottage measuring 20' x 20'. Council approved an agreement to allow the Cherrett's to tear down the cottage and rebuild in exactly the same location but increasing



the floor area to six hundred square feet. They were allowed four hundred square feet on the ground floor and two hundred square feet on the second floor. In accordance with the Board of Health stipulations they were allowed two bedrooms and one bathroom. There were provisions in the agreement to allow for an additional two hundred square feet provided the Board of Health would approve the changes. He said the Board of Health had not approved this initially but recently did approve this. He said staff has no objections to the addition. He said one letter of objection had been received from Mr. Chinn, Waverley.

QUESTIONS FROM COUNCIL

Councillor Hendsbee referenced the letter from the Chinn's and asked if there is a right of way access to the lake frontage.

Mr. Morgan said the Mr. Chinn is not so much concerned with access to the lake but pollution of the lake. He said the septic system was designed by a professional engineer and staff does not foresee any problems.

SPEAKERS IN FAVOUR

Mr. William Cherrett spoke in favour of the application. He presented letters of approval from surrounding neighbours. The first letter was from Marie and Harold Munroe, 1889 Porto Bello Road, Waverley and the second from Mr. Claude Burque, Waverley. He said they have four children who use the lake for swimming. He said any building will be an enhancement to the property and in no way detract from the surrounding properties.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

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

'THAT THE AMENDMENTS TO THE DEVELOPMENT AGREEMENT TO ALLOW FOR ADDITIONAL FLOOR AREA IN A RESIDENCE ON THE PROPERTY OF WILLIAM AND MOIRA CHERRETT BE APPROVED'

Councillor Merrigan informed council that there had been public hearings with regards to the septic system at which time the people had had an opportunity to deal with that issue. It was dealt with through the Board of Health and the staff at the Department of Environment had approved it. He said he does not feel that it should be an issue at this hearing.

MOTION CARRIED

File No. RA-F&S-04-95-14 - Application by Andrew Lynds to rezone the property at 6638 Highway 2 Enfield

Mr. Mitch Dickey gave the staff presentation. He said the applicants would like to establish a couple of businesses in the mobile home - a graphic design business and a small scale sign manufacturing business. He said the sign manufacturing business is not permitted under the current zoning and therefore they have requested the appropriate zoning in order to allow both businesses. He said these business would be accommodated in addition to the dwelling. He showed slides to the property to council for their information. He said the property is within the residential designation. He said the R1-E zone was established to accommodate larger home style businesses which could be applied by rezoning. He said the applicants proposal can meet all the requirements of the R1-E zone with regards to floor area, setbacks etc. He said the property is on a collector highway and the Department of Transportation has approved the existing driveway and the Department of the Environment has approved the existing septic system and have stated that the business will create no extra load on the existing system.

He said the proposed uses can meet the standards of the R1-E zone. He said there are no areas of concern identified by staff and it is recommended that the application be approved.

QUESTIONS FROM COUNCIL

Deputy Mayor Cooper asked what was the size of the trailer.

Mr. Dickey said it is 14' by 68'. He said there is also a small addition to one side which is 10' by 12'. He said this is on the opposite side to where the proposed addition is going.

Deputy Mayor Cooper referenced the R1-E zone. He asked what business uses were permitted under that zone.

Mr. Dickey said there is no limit on the number of business uses as long as the floor area requirement can be met. He said the floor area can be met in this instance to accommodate the proposed uses.

Deputy Mayor Cooper asked what were the proposed business uses.

Mr. Dickey said the first was a computer based graphic design business and the second business was to manufacture small wooden signs.

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

Mayor Ball informed council that Councillor Peters is aware of this application and has no objections.

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

'THAT THE APPLICATION BY ANDREW LYNDS TO REZONE THE  
PROPERTY AT 6638 HIGHWAY 2 IN ENFIELD BE APPROVED'

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Merrigan:

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

PUBLIC HEARING

June 26, 1995

PRESENT WERE: Mayor Ball  
Councillor Meade  
Councillor Rankin  
Councillor Fralick  
Councillor Deveaux  
Councillor Hendsbee  
Councillor Naugle  
Councillor Merrigan  
Councillor Brill  
Councillor Hache  
Councillor Scratch  
Councillor Harvey  
Councillor Sutherland  
Deputy Mayor Cooper

ALSO PRESENT: Nancy Dempsey Crossman, Municipal Clerk  
Fred Crooks, Municipal Solicitor  
Sandra Shute, Recording Secretary

=====  
The meeting was called to order at 6:00 p.m. Ms. Dempsey  
Crossman called roll.

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

ZA-ALL-21-94 - APPLICATION BY THE MUNICIPALITY TO AMEND THE  
DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS UNDER THE LAND USE  
BY-LAWS THROUGHOUT THE MUNICIPALITY

Mr. Paul Morgan gave the staff presentation. He said this is an  
application by the Municipality to amend the provisions of all  
the Land Use By-laws in Halifax County to allow accessory  
buildings to be located on abutting lots. He said it is going to  
remove a restriction contained in all the Land Use By-laws that  
an accessory building or structure has to be located on the same  
lot as the main building. He said this application came about at  
the request of the Planning Advisory Committee as a result of  
constituents in certain districts that had been denied permits  
because they applied to build the garage on a lot abutting the  
main building or house despite the fact that both properties were  
under the same ownership.

He said the requirement that an accessory building be located on  
the same lot as the main building comes from the definitions in  
the Land Use By-law. He said it was suggested that this  
restriction is unnecessary and unfair. He said there is nothing

in the Planning Strategies that get into any discussion about standards or provisions for accessory buildings. He said it is staff's opinion that approving the amendments before Council would be considered reasonably consistent with the strategies as long as Council is satisfied that the County is applying reasonable and good planning principles.

He said one of the questions may be is, is it necessary as a person could solve the problem by consolidating the lots. He said lot consolidation requires a person to retain a surveyor and would probably cost two to three thousand dollars to do this. He said it does not seem to be a necessary cost. He said one risk is that if an accessory building is located on the same lot as the main building the owner could sell the other lot in which case the accessory building would, presumably, no longer be for the accessory use as it was intended. He said someone could take the building and use it for a use not permitted by the zone. He said if they did so, they would be in violation of the Land Use By-law. He said another concern is with regards to commercial and industrial uses. He said this provision is dealt with through council by the provision of a rezoning or a development agreement. He said staff did not want to open up this provision so that someone could get around that requirement.

He referenced the amendments provided in Appendix B through M of the memorandum to council dated June 6, 1995. He said Appendix B amended Section 4.11 Clause 1 would require that the accessory use building structure be located in the same zone as the main building or the zone it is located in would have to permit the same use as well. He said this would preclude a company extending a warehouse into an R-1 zone where it would not be permitted.

QUESTIONS FROM COUNCIL

Councillor Hache asked if retail uses would be permitted out of this zoning. Mr. Morgan said they would not.

Councillor Deveaux asked if the accessory building could be located up to a mile away from the principal building. Mr. Morgan said that had been a concern of the Planning Advisory Committee and as a result the clause which states that the accessory use or building structure has to be located on an abutting lot or directly across the highway has been added. He said it cannot be on a lot three miles down the road.

Deputy Mayor Cooper asked if there is a limitation on the size of the accessory building that could be put between two lots that presently contain two single family homes. Mr. Morgan said in Cole Harbour the R-1 has put a limitation of 750 square feet on an accessory building.

Deputy Mayor Cooper asked if there was a limitation in other areas. Mr. Morgan said that in many of the Mixed Use zones of the Rural plan areas there are no restrictions on size of the building.

Councillor Deveaux asked how this had come to the attention of the Planning Advisory Committee.

Mr. Morgan said there had been instances in District 15 and also an instance in Timberlea where a person owns two abutting lots and wants to put a garage next to the home and unless these amendments are approved cannot do it.

Councillor Deveaux asked if districts can opt out of this.

Mr. Crooks said the Council could approve as much or as little as it wished to do but it could not do it pursuant to this notice. He said the full application would have to be re-advertised and the different area identified.

Councillor Merrigan said anyone who has an exiting property can have it amalgamated and put that accessory use on it. He said this would not provide any benefit in some cases. He said in some areas lots may be undersized and may not have received approval to be amalgamated. He said there was an examples of this in his community.

SPEAKERS IN FAVOUR

Ms. Artine Rhinders a resident of Timberlea spoke in favour of the application. She said they have two lots. She said there is a driveway on the second lot and they want to put a garage there.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

Western Region Approvals

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

'THAT APPENDIX B BE APPROVED BY THE WESTERN REGION  
COMMUNITY COUNCIL'

MOTION CARRIED

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

'THAT APPENDIX C BE APPROVED BY THE WESTERN REGION  
COMMUNITY COUNCIL'

MOTION CARRIED

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

"THAT APPENDIX D BE APPROVED BY THE WESTERN REGION  
COMMUNITY COUNCIL"

MOTION CARRIED

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

'THAT APPENDIX E BE APPROVED BY THE WESTERN REGION  
COMMUNITY COUNCIL"

MOTION CARRIED

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

"THAT APPENDIX F BE APPROVED BY THE WESTERN REGION  
COMMUNITY COUNCIL"

MOTION CARRIED

Municipal Council Approvals

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

"THAT APPENDIX B BE APPROVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

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

"THAT APPENDIX H BE APPROVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

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

'THAT APPENDIX I BE APPROVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

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

"THAT APPENDIX J BE APPROVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

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

"THAT APPENDIX K BE APPROVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

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

"THAT APPENDIX M BE APPROVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

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

"THAT APPENDIX N BE APPROVED BY MUNICIPAL COUNCIL"

MOTION CARRIED

Sackville Community Council Approvals

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

"THAT APPENDIX B BE APPROVED BY THE SACKVILLE COMMUNITY COUNCIL"

MOTION CARRIED

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

"THAT APPENDIX K BE APPROVED BY THE SACKVILLE COMMUNITY COUNCIL"

MOTION CARRIED

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

"THAT APPENDIX L BE APPROVED BY THE SACKVILLE COMMUNITY COUNCIL"

MOTION CARRIED

As there was only 50% attendance of the Cole Harbour/Westphal Community Council the appendices applying to their jurisdiction (G, J, AND M) could not be approved.



PUBLIC HEARING

6

JUNE 26, 1995

ADJOURNMENT

It was moved by Councillor Deveaux:

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

MINUTE & REPORTS  
OF THE  
FIRST YEAR MEETINGS  
OF THE  
FORTY-FIFTH COUNCIL  
OF  
HALIFAX COUNTY MUNICIPALITY

JULY COUNCIL SESSION

TUESDAY JULY 4, 1995

&

PUBLIC HEARINGS

JULY 10 & 31, 1995

&

COMMITTEE OF THE WHOLE

JULY, 10 & 31, 1995

*no minutes only reports*

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COUNCIL SESSION

July 4, 1995

PRESENT WERE: Mayor Ball  
Councillor Meade  
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 Giffin  
Councillor Hache  
Councillor Scratch  
Councillor Harvey  
Councillor Sutherland  
Councillor Turner  
Councillor McInroy  
Deputy Mayor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer  
Dale Reinhardt, Deputy Municipal Clerk  
Fred Crooks, Municipal Solicitor

=====  
The meeting was called to order at 6:00 p.m. with the Lord's  
Prayer. Mr. Reinhardt called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT SANDRA SHUTE BE APPOINTED AS RECORDING SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

'THAT THE MINUTES OF THE JUNE 20, 1995 COUNCIL SESSION BE APPROVED"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from the Department of Labour with respect to the financing of the Nova Scotia Firefighters School.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

'THAT THE LETTER BE REFERRED TO THE EXECUTIVE COMMITTEE"

MOTION CARRIED

2. Mr. Reinhardt outlined two letters from the Municipality of East Hants with respect to communities requesting representation on the new Halifax International Airport Planning Group.

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

"THAT THE CORRESPONDENCE BE RECEIVED"

MOTION CARRIED

Councillor Peters said she would like to go on record as stating that the infrastructure at Aerotech such and the water supply is provided by Halifax County so, in her opinion, Halifax County is a major player but is soon to have a less important role and she has concerns.

3. Mr. Reinhardt outlined a letter from the Chairman, Board of Directors, Cobequid Multi-Service Centre thanking council for it's support of the Centre's efforts to expand their facilities and services.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from the Minister of Indian Affairs and Northern Development with regards to the enlargement of the Hammonds Plains Elementary School.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

5. Mr. Reinhardt outlined a letter from the Vice President, Development and Public Relations, Camp Hill Medical Centre thanking Halifax County for it's contribution towards the Building For You Campaign.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

6. Mr. Reinhardt outlined a letter from the Nova Scotia Barristers Society with regards to tax certificates - property purchases.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

File No. ZA-LAW-16-95 and DA-LAW-07-94-09 - Amendments to the Land Use By-Law for Lawrencetown and approval of a Development Agreement between the Municipality and Barry MacDormand.

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

'THAT THE PROPOSED AMENDMENT AND THE DEVELOPMENT AGREEMENT BE APPROVED AND THAT A PUBLIC HEARING BE SCHEDULED FOR JULY 31, 1995 AT 6:00 P.M."

MOTION CARRIED

DATE - MINOR VARIANCE APPEAL

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

'THAT THE MINOR VARIANCE BE SET FOR AUGUST 1, 1995 AT 7:00 P.M."

MOTION CARRIED

MEMORANDUM RE: APPOINTMENT OF DEVELOPMENT OFFICER

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

'THAT ROSEMARY MACNEIL BE APPOINTED AS A DEVELOPMENT OFFICER FOR THE PERIOD FROM JULY 10, 1995, TO NOVEMBER 17, 1995"

MOTION CARRIED

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



'THAT JANICE MACEWEN'S SIGNING AUTHORITY AS A DEVELOPMENT OFFICER BE RESCINDED EFFECTIVE JUNE 26, 1995" .

MOTION CARRIED

MEMORANDUM RE: SB-06-95 - APPLICATION BY THE MUNICIPALITY TO INTRODUCE APPLICATION FEES UNDER THE SUBDIVISION BY-LAW

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

'THAT A PUBLIC HEARING BE SCHEDULED FOR JULY 31, 1995"

MOTION CARRIED

SIDEWALK CONSTRUCTION AGREEMENT NO. 1-Q - WALKER SERVICE ROAD SOUTHERLY TO SACKVILLE DRIVE

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

"THAT THE SIDE WALK CONSTRUCTION AGREEMENT NO. 1-Q BE APPROVED"

MOTION CARRIED

RECORDED RESOLUTION RE: APPOINTMENT OF SPECIAL CONSTABLE

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

'THAT MARK CLIFFORD JAMIESON, BY RECORDED RESOLUTION, BE APPOINTED AS SPECIAL CONSTABLE TO ENFORCE PROVISIONS OF THE MOTOR VEHICLE ACT"

MOTION CARRIED

ALLAN W. EVANS SCHOOL

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

"THAT THE ALLAN W. EVANS SCHOOL BE CONVEYED TO THE NORTH PRESTON COMMUNITY DEVELOPMENT ASSOCIATION FOR A NOMINAL FEES CONTINGENT UPON THE MUNICIPALITY RECEIVING APPROVAL FROM THE MINISTER OF MUNICIPAL AFFAIRS"

MOTION CARRIED

CAPITAL BUDGET - 1995/96 - 1997/98

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

"THAT THE CAPITAL BUDGET BE RECEIVED AND REFERRED TO THE EXECUTIVE COMMITTEE"

MOTION CARRIED

REPORT RE: BEAVERBANK SERVICING

Councillor Merrigan said he is trying to get this project underway.

Councillor Harvey said that meetings had been held and he does not feel that a consensus was reached among the Sackville councillors and Councillor Merrigan as to where this particular capital project would fit in terms of the County wide capital projects or in terms of capital projects in Sackville with regards to sewer and water as reflected in the policies in the Sackville Plan. He said he does not feel they decided that the Beaverbank Road trunk would come before the Liveley Subdivision, Cobequid Road etc. He said that is yet to be determined.

Mr. Meech said that as the Capital Budget has been referred to the Executive Committee this issue could be discussed at that time.

Councillor Merrigan requested that he be notified when this was to be discussed by the Executive Committee so that he could be in attendance.

MILL COVE TREATMENT PLANT EXPANSION

Council agreed to receive the information.

MEMORANDUM RE: BILL c-76 STATUS AND CORRESPONDENCE FROM THE HALIFAX-DARTMOUTH AND DISTRICT LABOUR COUNCIL C.L.C.

Councillor Deveaux requested that this item be deferred to the next council session.

REPORTS

Council agreed to receive the report on the Approved District Capital Grants for information.

DEPARTMENT OF TRANSPORTATION - COUNCILLOR MEADE

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

'THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS REQUESTING A ROAD SIGN "MACLEAN ROAD" AT THE HEAD OF ST. MARGARET'S BAY ACROSS FROM MASONS ROAD"

MOTION CARRIED

URGENT AGENDA ITEMS

Ultramar Scholarships - Councillor Deveaux

Councillor Deveaux said that Ultramar has indicated that it would be cutting out scholarships to employees of the plant.

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

"THAT A LETTER BE WRITTEN, WITH COPIES TO THE PROVINCIAL MINISTER OF JUSTICE, MLA DENNIS RICHARDS AND THE MP, TO THE HEAD OF ULTRAMAR AND REQUEST THAT THEY HONOUR THEIR COMMITMENT TO THE CHILDREN OF THE FORMER ULTRAMAR EMPLOYEES UNTIL THOSE STUDENTS HAVE COMPLETED THE PRESENT DEGREE THEY ARE SEEKING"

MOTION CARRIED

Collection of Recyclables - Deputy Mayor Cooper

Deputy Mayor Cooper said it has come to his attention that there are a number of people picking up recyclables and he feels the municipality should take steps to ensure that all the recyclable materials that are put out for collection do reach the municipal facility.

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

'THAT THE MUNICIPALITY, THROUGH STAFF, INVESTIGATE METHODS WHEREBY RECYCLABLE MATERIALS ARE DUE TO THE MUNICIPALITY UNDER THE STRATEGY ARE RESERVED FOR THE MUNICIPALITY AND ARE NOT PICKED UP BY OTHERS"

MOTION CARRIED

STORM SEWER CHARGES - CALDWELL ROAD

Mr. Meech said that the collection department has been advised that if anyone had received a tax certificate after September, 1992, which did not indicate that there were going to be capital improvement charges on the Caldwell Road then the County would take responsibility for them.

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

"THAT ANY TAX CERTIFICATES ISSUED SUBSEQUENT TO SEPTEMBER, 1992, FAILING TO INDICATE A PENDING BETTERMENT CHARGE, WILL BE WRITTEN OFF ON THE BASIS THAT A TAX CERTIFICATE FAILING TO PROVIDE THE FULL AMOUNTS OUTSTANDING ON DATE OF ISSUE IS BINDING ON THE PART OF THE MUNICIPALITY"

MOTION CARRIED

PRIVATE PARTNER SELECTION - REGIONAL SOLID WASTE MANAGEMENT PROJECT

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

'THAT COUNCIL CONSIDER THE OPTION OF HAVING COUNCIL

MEMBERS INFORMED IMMEDIATELY AFTER SELECTION OF A PREFERRED PARTNER AND HAVING EITHER A LETTER OF UNDERSTANDING OR DRAFT CONTRACT PRESENTED TO COUNCIL FOR APPROVAL ON AUGUST 1 (OPTION 3) "

Councillor Reid said he would like some explanation.

Mr. Meech said it had been anticipated that there was going to be a council session on July 18th. He said the process would have been that the Private Partner would have been selected on July 11th and during the period from the 11th to the 18th the County would attempt to get a memorandum of understanding. He said the only thing that is changing is that there would be a longer period of time for the County to put something together for the August 1st council session. He said it is intended that on July 12th the choice of the selected partner would be made public.

Mr. Donovan said the Letter of Understanding would be presented to council on the August 1st meeting whereby councillors would have a better understanding of what the cost implications and what the whole package entails.

Mr. Meech said ultimately council would have to endorse the arrangement and the agreement. He said it is asking the private partner to develop the approach as to how the County would go about implementing the Strategy and the estimated cost. He said if County is not satisfied with the information it could back away from the contract before the next phase.

Mr. Donovan said this process only gives the right to the selected company to negotiate the contract which ultimately has to come before council. He said there will be a report presented to council on August 1st.

Councillor Bates said he would like to see the short list provided to council.

Mr. Meech said that will be provided.

MOTION CARRIED

ADDITION OF ITEMS TO AUGUST 1, 1995 COUNCIL SESSION

No items.

ADDITIONAL ITEMS OF DISCUSSION

Mayor Ball said he has had discussion with Bob Quinn about the possibility of setting a Committee of the Whole to review the Summit Event held at Hubbards Beach.

Mayor Ball said the Utility and Review Board had reconvened and Mr. Hayward has revised his submission.

Mr. Ron Lowerison reviewed the boundary changes that had been made for the information of council.

Councillors asked for clarification on changes affecting individual district boundaries.

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

"THAT COUNCIL WRITE TO THE UTILITY AND REVIEW BOARD REQUESTING A TWO WEEK EXTENSION IN ORDER TO GIVEN AN OPPORTUNITY FOR PRESENTATIONS"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Merrigan:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

July 10, 1995

PUBLIC HEARING

July 10, 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 Merrigan  
Councillor Brill  
Councillor Giffin  
Councillor Hache  
Councillor Scratch  
Councillor Harvey  
Councillor Sutherland  
Councillor Turner  
Councillor McInroy  
Deputy Mayor Cooper

ALSO PRESENT: Dale Reinhardt, Deputy Municipal Clerk  
Karen Fitzner, Municipal Solicitor  
Julia Horncastle, Recording Secretary

=====  
The meeting was called to order with the Lord's Prayer. Mr.  
Reinhardt called roll.

Mayor Ball outlined the procedure followed for a public hearing.

DA-LAW-09-94-09 - APPLICATION BY THE GOOD SHEPHERD CHURCH TO  
ENTER INTO A DEVELOPMENT AGREEMENT TO ALLOW FOR A CHURCH ON THE  
LAWRENCETOWN ROAD

July 10, 1995

Mr. Paul Morgan presented the staff report to council. He said the property is on the North side of the Lawrencetown Road. He said the property has an area of approximately 300 acres and has approximately 300 feet of frontage on the highway.

He referenced the proposed site development as outlined in the staff report. He said the site development plan is a schedule to the agreement and the church will be required to adhere to the site plan. He said the church will be used for church related activities as well as a food and clothing bank and meeting hall for Boy Scouts and Girl Guides. He proceeded to show slides of the property to council for their information.

He said this property is in the Lawrencetown Policy Designation. This designation is intended to support a low density rural residential type environment. It permits a number of low density uses, home business uses, and low intensity resource uses. Community facilities such as churches, police stations and fire halls are not permitted by the zoning applied in this area (Rural Residential Zone). The community felt that these types of facilities could be a nuisance to neighbours therefore there was a requirement made that any such facility could only be permitted if the development agreement was approved by municipal council. He said there would be driveway access to the Lawrencetown public road which is the main arterial serving this community and beyond. He said this would not introduce additional traffic on local roads. He said the driveway been reviewed by the Department of Transportation and Communications for sighting distance and the Department has advised that it meets their safety standards.

He said consideration has to be also given to the design of the building. He said the building committee for the church has picked a specific architectural design for the building. He said some parameters have been set out such as the building would have a maximum gross floor area of 11,500 square feet. It would have a maximum height of 50 feet. It would be no closer than 30 feet to any property line. The parking area could be gravel although there is a requirement for the section from the highway to the front property line to be paved.

He said the biggest obstacle facing the development of these lands is they are relatively flat with poor drainage. He said



July 10, 1995

the Planning Department is a little concerned that proper consideration was not given which could inadvertently send waters onto the abutting properties. He said there are reserves left so that drainage swales could be provided to drain into the drainage ditch on the highway right of way. He said at the time the building application is made the church has agreed to submit drainage plans and erosion sedimentation control plans.

He said the front of the property is going to be used for an on site disposal system. He said this was reviewed by the Department of the Environment and they are satisfied that a system can be designed on this property to suit development. He said the church has also agreed that landscaping will be placed along the property line and where this cannot be accomplished because of the need for the drainage swale a fence will be constructed. He said the Planning Department feels that this project conforms with the intent of the plan and they would recommend approval.

#### QUESTIONS FROM COUNCIL

No questions from council.

#### SPEAKERS IN FAVOUR

Mr. David Scott spoke in favour of the application. He said he is a member of the church and chairman of the building committee. He said the church as been endeavouring to foster community growth. He said he would encourage council to give consideration in considering this application.

#### SPEAKERS IN OPPOSITION

No speakers in opposition.

#### DECISION OF COUNCIL

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

'THAT THE APPLICATION BY THE GOOD SHEPHERD CHURCH TO ENTER INTO A DEVELOPMENT AGREEMENT TO ALLOW FOR A CHURCH ON THE LAWRENCETOWN ROAD BE APPROVED'

MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

It was moved by Councillor Meade:

'THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

COMMITTEE OF THE WHOLE

July 10, 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 Merrigan  
Councillor Brill  
Councillor Giffin  
Councillor Hache  
Councillor Scratch  
Councillor Harvey  
Councillor Sutherland  
Councillor Turner  
Councillor McInroy  
Deputy Mayor Cooper

ALSO PRESENT: Julia Horncastle, Recording Secretary

=====  
The meeting was called to order at 3:30 p.m.

Mayor Ball informed council that the meeting was to discuss and review, with Mr. Bob Quinn, the Summit Committee event in Hubbards and to look at the possibility, in the near future, of renewing some form of promotion in that area.

Mr. Bob Quinn made a presentation regarding the possibility of the County holding an event called SeptemberFest 95; A Celebration of Land and Sea to be held in September at Hubbards.

After discussion by the Committee:

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

"THAT HALIFAX COUNTY COUNCIL ENDORSE THE CONCEPT OF  
SEPTEMBERFEST 95"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Meade:

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

COMMITTEE OF THE WHOLE

July 31, 1995

PRESENT WERE: Mayor Ball  
Councillor Meade  
Councillor Fralick  
Councillor Mitchell  
Councillor Deveaux  
Councillor Bates  
Councillor Hendsbee  
Councillor Dooks  
Councillor Smiley  
Councillor Reid  
Councillor Brill  
Councillor Snow  
Councillor Hache  
Councillor Scratch  
Councillor Harvey  
Councillor Turner  
Deputy Mayor Cooper

ALSO PRESENT: K. R. Meech, Chief Administrative Officer  
Dale Reinhardt, Deputy Municipal Clerk

=====  
Mayor Ball Called the meeting to order and advised the council that the meeting had been called in order to discuss the Memorandum of Understanding between Halifax County Municipality and the Mirror Group: Solid Waste/Resource Management System and the suggested structure for the implementation of the IWRMS until January 1997.

Mr. Joe Mann, Member at Large, CSC made a presentation to council.

After deliberation and discussion by council:

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

"THAT THE MEMORANDUM OF UNDERSTANDING BETWEEN HALIFAX COUNTY MUNICIPALITY AND THE MIRROR GROUP: SOLID WASTE/ RESOURCE MANAGEMENT SYSTEM BE RECOMMENDED TO COUNCIL FOR APPROVAL AND ADOPTION"

MOTION CARRIED

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

"THAT THE SUGGESTED STRUCTURE FOR DESIGN PHASE AND CONTRACT TEAMS FOR THE IMPLEMENTATION OF THE INTEGRATED WASTE/RESOURCE MANAGEMENT SYSTEM BE RECOMMENDED TO COUNCIL FOR APPROVAL AND ADOPTION"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Meade:

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

MINUTES & REPORTS  
OF THE  
FIRST YEAR MEETINGS  
OF THE  
FORTY-FIFTH COUNCIL  
OF  
HALIFAX COUNTY MUNICIPALITY  
AUGUST COUNCIL SESSION  
TUESDAY, AUGUST 1, 1995  
&  
PUBLIC HEARINGS  
AUGUST 28, 1995 — no minutes  
&  
COMMITTEE OF THE WHOLE  
AUGUST 9, 1995

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