

NORTH WEST COMMUNITY COUNCIL

MINUTES

AUGUST 28, 1997

THOSE PRESENT: Councillor Mitchell, Chairman
Councillor Kelly
Councillor Barnet

ALSO PRESENT: Barry Allen, Municipal Solicitor
Maureen Ryan, Planner
Jacqueline Hamilton, Planner
Sandra Shute, Assistant Municipal Clerk

Regrets: Councillor Harvey
Councillor Rankin

TABLE OF CONTENTS

1.	Invocation	4
2.	Public Hearings	
2.1	Application No. RA-PD4-004-96-23-WR - Rezoning Application by Shirley and William Jardine, Whites Lake	4
2.2	Application No. DA-FEN-17-95-18 - Development Agreement Application to permit the expansion of the Woodhaven Recreation Vehicle Park in Hammonds Plains	6
3.	Approval of Minutes - Regular Meeting July 10, 1997 and Joint Meeting July 3, 1997	10
4.	Approval of the Order of Business and Approval of Additions and Deletions .	10
5.	Business Arising Out of the Minutes	
5.1	Joint Meeting with PAC on July 3, 1997	11
6.	Motions of Reconsideration - None	11
7.	Motions of Rescission - None	11
8.	Consideration of Deferred Business - None	11
9.	Correspondence, Petitions and Delegations	
9.1	Correspondence	11
10.	Reports	
10.1	Committee of the Whole - Naming of Controlled Access Highway - Bedford/Sackville	11
10.2	Appointment of an Area Advisory Committee for the Comprehensive Transportation Study for Sackville	12
10.3	Sidewalk Construction - Glendale Drive Extension	12
10.4	Schedule of Meetings - September to December, 1997	12
10.5	Ratification of Expenditures - Landfill Funds	12
10.6	Crosswalk Request - Old Sackville Road at Walker Avenue and Walker Connector Road	12

11.	Motions - None	13
12.	Added Items	
12.1	Parking in Fire Lane - Downsview Mall	13
12.2	Storm Drainage - Bianca Court	13
12.3	Drainage Problems - Rankin Drive	13
12.4	Traffic Signals - Sackville Drive and Beaverbank Cross Road	14
12.5	Update - Myra Beach	14
12.6	Registration of Undertaking for Environmental Assessment for Proposed Rock Quarry in Upper Sackville - Riverland Developments Limited	14
12.7	Water Service District Boundary - Maplewood on the Lakes	15
12.8	Environmental Problems - Todd's Island	15
13.	Notices of Motion - None	15
14.	Public Participation	16
15.	Next Meeting	18
16.	Adjournment	18

1. **INVOCATION**

The meeting was called to order at 6:10 p.m. with an Invocation at the Upper Hammonds Plains Community Centre, 711 Pockwock Road. Councillor Mitchell expressed appreciation to Rev. Gray for allowing Community Council to use the Community Centre for its meeting in the Upper Hammonds Plains community.

2. **PUBLIC HEARINGS**

2.1 **Application No. RA-PD4-004-96-23-WR - Rezoning Application by Shirley and William Jardine, Whites Lake**

A Staff Report dated July 30, 1997 together with a report dated August 7, 1997 from North West Planning Advisory Committee was before Community Council. The recommendation from North West Planning Advisory Committee was for approval.

Maureen Ryan, Planner provided an overview of the application. She advised that staff was recommending approval of the application.

There were no questions from Council.

Speakers in Favour

Mr. Bill Jardine, Prospect Road advised he operated Halifax Equipment Rentals and when the last Public Hearing was held, he had been out of town. Everything around him was zoned C-2 but his property had been missed when zoning was put in place. They had two businesses, one in Sackville and one in Halifax, and he kept those properties in good repair and intended to do the same thing if he developed another business on the subject property.

Councillor Mitchell asked Mr. Jardine what his plans were for the property if it were rezoned. In reply, Mr. Jardine advised they were still planning on putting up a building for a rental store, but it depended on the economy. It would be too late to start this year, however. He might be able to sell it for a residential home.

Speaker in Opposition

Mr. Chris Blackmore advised he was an adjacent property owner and was still opposed to the rezoning for the reasons stated at the last Public Hearing. He said there was an error in the Minutes of the Public Hearing held on March 28, 1996 as he did not state he did not mind a 2400 sq. ft. rental store. He was never for another commercial property in the area.

He outlined what commercial properties were in the area and felt that the area was getting run down. With yet another business, properties would start to depreciate.

Councillor Mitchell asked if Mr. Blackmore's assessment increased this year. Mr. Blackmore, in reply, advised it did go up but he was appealing it. It was almost 10%.

Mr. Blackmore stated he did not think the stretch of highway should have another business. It was one of the few straight stretches of highway. Traffic was non-stop.

Councillor Mitchell pointed out that Department of Transportation had changed the lines on the road and brought the speed limit down.

Councillor Barnet asked how long Mr. Blackmore's property has been zoned C-2 next door with the hair salon. Mr. Blackmore replied 1989. Councillor Barnet then asked if the other commercial uses were in place when he purchased the property. Mr. Blackmore explained what the commercial uses in place were and what had been there previously but pointed out, however, that if you took the sign away for the hair salon, you would never know there was a commercial business on his property as it was very well kept up.

Councillor Kelly asked if Mr. Blackmore planned to stay on his property or would he sell if the right price came along. Mr. Blackmore said he did not plan on moving in the near future. Councillor Kelly pointed out that Mr. Blackmore could open a business upstairs as well if he wanted to. Mr. Blackmore agreed if he wanted to renovate and move elsewhere he could put just about anything there.

Rebuttal by Applicant

Mr. Bill Jardine said he has been trying for two years to have the property zoned C-2. It seemed it was fine for some people. In terms of traffic flow, when he drove by, there were always six or seven cars at Tammy's Touch Hair Salon. He agreed it was a nice looking home but it was a business in any case. If there were no businesses in a community, there would not be much of a community.

Councillor Mitchell referred to the Staff Report which indicated that in 1991 Mr. Jardine's property was missed. He asked if Mr. Jardine went to any of the public meetings held in the communities during the MPS review to which Mr. Jardine replied he had. Councillor Mitchell asked Mr. Blackmore if he had attended any of the meetings to which Mr. Blackmore replied no.

MOVED by Councillors Barnet and Kelly that the Public Hearing close. MOTION PUT AND PASSED.

Decision by Council

MOVED by Councillors Barnet and Kelly that the application by William and Shirley Jardine to rezone their property at 2588 Prospect Road from an RB-1 (Residential B-1) Zone to a C-2 (General Business) Zone under the Land Use By-Law for the Prospect Planning District be approved.

Councillor Kelly stated that with the zoning next door, this seems to be in line with the area and would fit in quite nicely. He found it hard, with C-2 on one side and Industrial on the other, why it would not fit. Under the application process, there are protection measures for staff to follow to ensure it meets Mr. Blackmore's concerns regarding keeping up the property.

MOTION PUT AND PASSED.

2.2 Application No. DA-FEN-17-95-18 - Development Agreement Application to permit the expansion of the Woodhaven Recreation Vehicle Park in Hammonds Plains

A Report from North West Planning Advisory Committee dated August 7, 1997 was before Community Council which included attachments: Staff Report dated June 18, 1997, Supplementary Memorandum dated July 21, 1997 and revised Development Agreement (Draft No. 3) dated August 7, 1997. The recommendation from North West Planning Advisory Committee was for approval. Also before Community Council was a letter dated August 15, 1997 from Douglas Matthews, Economic Renewal Agency in support of the application, a report from Halifax County Watershed Advisory Committee dated August 22, 1997 and a Supplementary Report dated August 26, 1997.

Before proceeding with the overview of the Staff Report, Councillor Kelly requested that Jacqueline Hamilton, Planner, include in her presentation how the building was built without permission, why due process did not take place and his concern about dealing with something after the fact. Jacqueline Hamilton agreed to do so. She explained, during her presentation that construction has already taken place of the upgrading of approximately 30 sites to accommodate recreational vehicles, construction of a multi-purpose building for social gatherings and storage of equipment and six camping cabins. At the time, it was agreed that Halifax County Municipality would forego prosecution if the applicant would agree to go through a Development Agreement process. Staff was recommending approval of the application.

Questions from Council

Councillor Kelly asked if the applicant has paid all permits and fees applicable. In reply, Ms. Hamilton advised there is no ability to issue a permit until after a Development Agreement is approved. To ensure health and safety issues are addressed, Building Inspectors have gone out to the site but that would not be a normal process.

Councillor Kelly asked if the proponent has agreed to Items 3, 4 and 5 re sewage treatment plant requirements. In reply, Ms. Hamilton advised Mr. Buchanan was not prepared to address them in the Development Agreement. Councillor Kelly further said that if Department of Environment says he must, then the proponent would not have a choice. Ms. Hamilton agreed and advised this was clearly understood by Mr. Buchanan.

Councillor Kelly referred to Section 3.4 of the Development Agreement and asked if it was clear that the applicant would have to pay all applicable fees. In response, Ms. Hamilton advised he would be subject to the applicable By-laws and that Section 3.4 was included for extra emphasis.

Speaker in Favour

Mr. Bernard Buchanan, owner of Woodhaven Recreation Vehicle Park in Hammonds Plains advised he had to improve the park after he purchased it seven years ago to accommodate motor homes and trailers. He had obtained permits to upgrade until 1995 when it became clear he needed a recreation hall to get caravans in. When he contacted staff of Halifax County Municipality to proceed with building a hall, he was told that the process would take six to eight months. Because the first caravan was coming in six to seven weeks, he proceeded to build the hall. He provided information on the caravans that had come to the campground over the last two and half years, since he made the application. He listed companies that would have been in support of the application had he taken the time to obtain letters but he did not see any point because he built the hall above the requirements/code in consultation with a friend who was an engineer. He pointed out the benefits of his campground to tourism and the fact that he was turning people away even as he spoke. The hall was not being used for parties but for the caravans. He noted that the campground should be expanded again but after two years of "harassment" he would not expand anymore. He referred to the Public Meeting and the objections raised and advised he had addressed the issue of dust by purchasing a spreader to spread calcium chloride. Also brought up was the issue of sediment coming into the brook. He pointed out that the brook was 1' wide and 6" deep and he brought in an engineer who could not find any problem with sediment going into the brook. He pointed out that any sediment could be coming from runoff from a farmer's field. He has had his permit to operate a septic system for 25 years and it was upgraded over the years but he did not think the septic system bed would cause sediment in the swampy brook. He agreed that since it was felt the issue had to be addressed, it would be.

Mr. Buchanan outlined the meetings he had attended over the last two and a half years with regard to his application. As to the question of whether or not he had paid for his permits he said he had every intention of paying and if the Municipality wished to levy a fine, then do so. If the Municipality wanted the building torn down, he would do it but he pointed out that tourists spent a lot of money in the area.

Questions from Council

Councillor Kelly explained that there was a responsibility on the part of Councillors to make sure that when people come here, they stay at a place that is inspected, able to meet code, does not incur damage and that due process is followed. He went on to ask if it was true that the process took two and a half years. Ms. Hamilton replied that the application was made in March, 1996. The violation occurred in 1995 and there may have been time during which the Development Officer was dealing with Mr. Buchanan. There was difficulty in having the applicant make the application to begin with.

Councillor Kelly asked if an engineer had stamped the specifications for the hall. In reply, Mr. Buchanan advised a friend had ensured he would not break any laws in building the building. He had been in touch with Planning Department all of 1995. Councillor Kelly asked if Mr. Buchanan was prepared to have the building reviewed by qualified inspectors to make sure it meets code. Mr. Buchanan replied that they wanted a few changes, and he was prepared to do some. He was going to have his engineer work with them. He stated that his engineer would be prepared to stamp it once an agreement is worked out.

Councillor Kelly asked if there was a sewer problem, was Mr. Buchanan prepared to work out the problems. In reply, Mr. Buchanan advised that he did not think the septic system proposed would work but he was not an engineer. In his opinion, his system was running smoothly. He realized it was provincial jurisdiction and if he was required to make changes and his engineer agreed, he would do so.

Councillor Mitchell asked how far was the closest residence and how far was the wetland from the nearest campsite. Ms. Hamilton provided the information by use of the site plan.

Councillor Mitchell asked if Mr. Buchanan supported the recommendation provided in the Supplementary Report regarding Department of Environment. In reply, Mr. Buchanan said yes.

Speakers in Opposition

Mr. Eric Eisenhauer expressed concern regarding a liquor licence as he had never been in a campground with liquor for sale. In reply, Mr. Buchanan advised that the liquor

licence was not for parties but campers with motor homes did not usually have cars. The idea was to sell beer and wine to the customers.

Mr. Eisenhower referred to the brook and said that before there was a campground, there used to be a full sized hockey rink on the brook. The lakes that the brook empties into are dead. He was not saying, however, that Mr. Buchanan was 100% responsible. In reply, Councillor Kelly stated that the brook was under the jurisdiction of Department of Environment.

Mr. Eisenhower asked who is responsible with regard to illegal buildings and breaking laws. In reply, Mr. Allen, the solicitor advised that if it came to the attention of the inspector, they would try to get the property owner to comply with the law. Sometimes that meant prosecution. Prosecution was a tool to get them to comply with the law.

Rebuttal by Applicant

Mr. Buchanan referred to water from the septic system which he felt was pretty pure. There was a lot of runoff in the area from farms. He did not think his campground was the cause. If he could do anything to accommodate Mr. Eisenhower, he would do so.

Councillor Kelly referred to "upon complaint" and asked if the applicant was aware of the August 7 report which indicates that dust must be addressed. Mr. Buchanan, in reply, advised he was already doing this.

MOVED by Councillors Barnet and Kelly that the Public Hearing close. MOTION PUT AND PASSED.

Decision by Council

Councillor Barnet stated the intent behind By-laws and regulations was compliance. The problem in this case was that the process was reversed. Rules and regulations were put in place to protect owners and patrons. It is the Municipality's responsibility to ensure that this does not happen and that was why there was what Mr. Buchanan called "harassment" and what the Municipality calls "process". With regard to the liquor licence, the Municipality's jurisdiction was that of allowing the land use to happen and did not necessarily mean there would be approval of a liquor licence. Those people who are concerned about a liquor licence would have an opportunity to appear before the Liquor Licence Board. He stated it was with extreme reluctance he was moving the application as certainly the attitude towards staff, Department of Environment, rules and regulations was not the kind of attitude he would like to reward.

MOVED by Councillors Barnet and Kelly to approve the Development Agreement for Atlantic Campgrounds Incorporated attached to the August 7, 1997 Staff Report and require that the proponent sign the agreement within 120 days. Further, that the recommendation of the Halifax County Watershed Advisory Board be forwarded to Nova Scotia Department of Environment requesting that these be considered during the Department's review of the application at the development permit stage.

Councillor Kelly, having seconded the motion with great reluctance, said he understood the need behind Mr. Buchanan's beliefs but if it ever happened again and Mr. Buchanan came before Community Council with another application, he would not support it if it did not go through due process.

MOTION PUT AND PASSED.

It was agreed to take a five-minute recess. The meeting reconvened at 7:50 p.m.

3. **APPROVAL OF MINUTES - Regular Meeting July 10, 1997 and Joint Meeting July 3, 1997**

MOVED by Councillors Barnet and Kelly to approve the Minutes of Regular Meeting held on July 10, 1997 and Joint Meeting held on July 3, 1997 as circulated. MOTION PUT AND PASSED.

4. **APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

Added Items: Correspondence
1. Copy of letter from MLA MacDonald re maintenance of sewer laterals in urban areas.
2. Letters re water service in the Hammonds Plains area

Councillor Barnet: Inclusion of Items 2, 3 and 4 from the Information Items
Riverland Developments - application for a quarry

Councillor Mitchell: Inclusion of Item 5 from the Information Items
Environmental Problems - Todd's Island
Water Service District Boundary - Maplewood on the Lakes

MOVED by Councillors Kelly and Barnet to approve the Order of Business as amended. MOTION PUT AND PASSED.

5. **BUSINESS ARISING OUT OF THE MINUTES**

Joint Meeting with PAC - July 3, 1997

Councillor Kelly advised that there will be a further report coming forward to Community Council at a future meeting as a result of the Joint Meeting with respect to District 21 setting up its own committee as per Bill 3.

6. **MOTIONS OF RECONSIDERATION** - None

7. **MOTIONS OF RESCISSION** - None

8. **CONSIDERATION OF DEFERRED BUSINESS** - None

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

9.1 **Correspondence**

Community Council was in receipt of a copy of a letter undated from MLA Bill MacDonald to Mayor Fitzgerald re maintenance of sewers in urban areas.

Community Council was also in receipt of letters from the following with regard to water service in the Hammonds Plains Road area:

Rev. William Woodworth
Hammonds Plains Service Center Ltd.
Vernon Kynock

MOVED by Councillors Kelly and Barnet to receive the correspondence and to forward the correspondence regarding water service in the Hammonds Plains area to staff. MOTION PUT AND PASSED.

10. **REPORTS**

10.1 **Committee of the Whole - Naming of Controlled Access Highway - Bedford/Sackville**

Community Council was in receipt of a Report from Committee of the Whole dated August 26, 1997 containing a recommendation for the naming of the new controlled access highway from Bedford to Sackville.

MOVED by Councillors Kelly and Barnet to accept the recommendation of Committee of the Whole and advise Department of Transportation that the new controlled access highway - Bedford/Sackville should be named "Capt. John Gorham Boulevard". MOTION PUT AND PASSED.

At the request of Community Council, Tony Edwards, who was in attendance, provided historical background on Capt. John Gorham.

10.2 Appointment of an Area Advisory Committee for the Comprehensive Transportation Study for Sackville

MOVED by Councillors Barnet and Kelly to defer this item to the next meeting. MOTION PUT AND PASSED.

10.3 Sidewalk Construction - Glendale Drive Extension

MOVED by Councillors Kelly and Barnet to approve the recovery of Local Improvement Charges for the new concrete sidewalk installation for Glendale Drive Extension from Cobequid Road in Lower Sackville, by levying a general area rate for the entire District 20. MOTION PUT AND PASSED.

10.4 Schedule of Meetings - September to December, 1997

MOVED by Councillors Kelly and Barnet to approve the Schedule of Meetings from September to December, 1997 except that the meeting on September 11 should be held at the new Fire Hall in Bedford. MOTION PUT AND PASSED.

10.5 Ratification of Expenditures - Landfill Funds

MOVED by Councillors Barnet and Kelly to ratify the expenditure of \$520.00 for the relocation of the Visitor Information Centre to Acadia School from the unallocated interest on the landfill funds. MOTION PUT AND PASSED.

At the request of Councillor Kelly, it was agreed to request a status report for the last year which would include the balance of the accounts.

10.6 Crosswalk Request - Old Sackville Road at Walker Avenue and Walker Connector Avenue

MOVED by Councillors Barnet and Kelly to request staff to apply the warrants to have a painted crosswalk situated between Old Sackville Road and Walker Avenue and Walker Connector Avenue.

On behalf of Councillor Harvey, Councillor Barnet explained that previously this location did not meet the warrants because there were no sidewalks in place. Now, however, the new sidewalk has been constructed.

MOTION PUT AND PASSED.

11. **MOTIONS** - None

12. **ADDED ITEMS**

12.1 **Parking in Fire Lane - Downsview Mall, Sackville**

On behalf of Councillor Harvey, Councillor Barnet explained there was a concern with parking in the fire lane at Downsview Mall.

MOVED by Councillors Barnet and Kelly to contact the RCMP and Fire Services to request that they enforce the no parking restrictions in that area. MOTION PUT AND PASSED.

12.2 **Storm Drainage Easement - Bianca Court**

An Information Report dated August 14, 1997 was before Community Council. Councillor Barnet provided background information on this situation and stated it should be very easy for Regional Operations to alleviate the situation.

Councillor Kelly asked if the problem was on Mr. Hennessey's property. In reply, Councillor Barnet advised that the easement belongs to the Municipality and was behind Mr. Hennessey's property.

MOVED by Councillors Barnet and Kelly to direct staff to carry out remedial work in an effort to resolve the problem. MOTION PUT AND PASSED.

12.3 **Drainage Problems - Rankin Drive**

An Information Report dated August 14, 1997 was before Community Council. Councillor Barnet provided background information on this situation which has been a problem for about 17 years. As contained in the Information Report, staff advised that they were

prepared to do the work but wanted to refer it to the 1998 Capital Budget. He said, however, that what he would like to see done was have Kulvinder Dhillon, Director, Engineering & Transportation Services appear before Community Council at the next meeting and invite the residents to come back to Community Council to plead their case so that the work can be done this year. He was concerned that there would be additional damage over the winter. He pointed out that there were a number of projects that have come in under budget and staff had the ability, within their operating budget, to make the repairs. He added that there was a Tender going to Regional Council next week that was approximately \$240,000 under budget.

Councillor Kelly suggested instead that Councillor Barnet should go to Regional Council in this regard. The necessary \$32,000 could be reallocated.

MOVED by Councillors Barnet and Kelly to recommend to Regional Council that the work required to be done for Rankin Drive be carried out through the 1997/98 Operating Budget by the reallocation of funds. MOTION PUT AND PASSED.

Traffic Signals - Sackville Drive and Beaverbank Cross Road

A Memorandum dated August 14, 1997 from Engineering and Transportation Services was before Community Council advising that traffic signals at the intersection of Sackville Drive and Beaverbank Cross Road were not warranted.

MOVED by Councillors Barnet and Kelly that staff be requested to re-evaluate the intersection as it was his belief there would be a substantial difference after school resumes and that staff be requested to appear before Community Council to explain the results of their findings. MOTION PUT AND PASSED.

12.5 Update - Myra Beach

A Memorandum dated July 31, 1997 from Councillor Mitchell providing an update on the situation at Myra Beach was before Community Council. Councillor Mitchell explained that it has been agreed that Myra Beach will be accessible by water only and the residents of the area were pleased with the outcome.

12.6 Registration of Undertaking for Environmental Assessment for Proposed Rock Quarry in Upper Sackville - Riverland Developments Limited

Councillor Barnet advised he understood that Riverland Developments Limited has made an application to Department of Environment to expand their existing pit operation to involve a quarry operation with blasting on the property adjacent to the landfill. Riverland Developments Limited, when moving forward with their original application for a pit, were

specific that they were not looking for a quarry and would not be blasting because of the associated problems. A Development Agreement was subsequently approved that allowed them to operate the pit without blasting. In Riverland Development Limited's application to the Minister of Environment, however, they indicate that they have been operating their pit with the use of blasting for the last year. This would be in violation of the existing Development Agreement and exactly what the residents in the area did not want.

MOVED by Councillors Barnet and Kelly that Community Council request staff to investigate to determine whether or not Riverland Developments Limited has violated the Development Agreement and, if so, to apply the appropriate fines and levies that the Development Agreement provides for. Further, because the Development Agreement has a number of other community protections which allow residents in the Municipality to view and inspect the premises, staff be requested to review these and exercise their rights and options to go out and make sure that what was proposed is being carried out. MOTION PUT AND PASSED.

12.7 Water Service District Boundary - Maplewood on the Lakes

On behalf of Councillor Rankin, Councillor Mitchell referred to a letter from the Minister of Environment dated August 19, 1997 regarding the private water supplies that service the households in the community of Maplewood on the Lakes. He said Councillor Rankin wanted it shown on the record tonight but that he would bring it forward at a later date.

MOVED by Councillors Kelly and Barnet to receive and table the letter. MOTION PUT AND PASSED.

12.8 Environmental Problems - Todd's Island

Councillor Mitchell requested that a letter be sent to Minister Jim Barkhouse expressing appreciation for the Minister coming to Todd's Island to investigate problems being experienced with sawdust in the old mill. He requested that the letter include the fact that he supports the discussion that took place with regard to alleviating the situation.

MOVED by Councillors Barnet and Kelly that a letter be sent in this regard. MOTION PUT AND PASSED.

13. NOTICES OF MOTION - None

14. **PUBLIC PARTICIPATION**

Mr. Paul Miller, Miller & Associates, representing the Sackville Environmental Protection Association referred to the Riverland Development Limited application. He provided background information on previous applications submitted for the site for a quarry and the Development Agreement for a pit. He referred to Department of Environment's policy, since 1992, that all applicable municipal approvals would be required first as standard Department policy. Now, however, there was no municipal Development Agreement for a quarry, no process, no municipal permits yet the Department of Environment was going through an environmental assessment process for the quarry with a deadline of tomorrow for public input from an advertisement in the newspaper on August 16.

Mr. Miller stated that when a member of his staff attempted to obtain a copy of the registration document from three of the five sites listed, which were located in the community, he was not able to obtain the document from two of the three sites. When he attended the Public Hearing for the pit, it was specifically pointed out that blasting was precluded because of the concerns with proximity to the Sackville landfill and the leachate system.

Mr. Miller said there was no Development Agreement for a quarry and asked why has the public not been given a reasonable opportunity to participate. Though it was provincial jurisdiction, he suggested Community Council could express concern about the registration document not being available at two of the three local sites and about the fact that Mr. Davis has not applied for a Development Agreement, a change or exception being made to Department of Environment's policy.

MOVED by Councillors Kelly and Barnet that Community Council express its displeasure to the Minister of Environment with the process to date and request that the process be extended to allow more time for the public to participate. Further that clarification be provided with regard to any change in policy. MOTION PUT AND PASSED.

Councillor Barnet added he would be forwarding his own concerns to the Minister of Environment on this issue.

Mr. Paul Miller, Miller & Associates, representing 63 residents in Hammonds Plains referred to Vernon Kynock's proposed quarry in Hammonds Plains and Community Council's decision that if Mr. Kynock did not have his permits by December 31, 1996, the Development Agreement would be rescinded. He understood, however, that in July Mr. Kynock began drilling the rock face, ostensibly to blast. He outlined what had transpired since that time and provided information on the blasting permits that had been issued.

Councillor Kelly said it was important to find out what was going on before Mr. Kynock seeks another blasting permit for another 30 days.

MOVED by Councillors Kelly and Barnet to request Engineering Department to refer to the Municipal Planning Strategy and, in consultation with other departments such as Planning, see if it is in line with the legal approach. If not, halt, cease and desist and charge accordingly. MOTION PUT AND PASSED.

Ms. Barbara Verge, Maplewood on the Lakes requested consideration that Maplewood on the Lakes be included in the Water Service District Boundary. She provided background information on meetings held by Halifax County Municipality and provided a copy of a Memorandum dated May 9, 1994 with a note from the Councillor of the day that Maplewood on the Lakes would be included when the water comes. She did not have any problems with Upper Hammonds Plains getting water in the near future but was requesting consideration for Maplewood on the Lakes.

MOVED by Councillors Kelly and Barnet to refer the matter back to staff, with a copy of the correspondence, and request a response accordingly. MOTION PUT AND PASSED.

Ms. Joyce Evans said she did not have any problems with water herself but the people of Upper Hammonds Plains deserved water. Money for paving was being held for the water project.

Ms. Susan MacDonald advised she had problems with water quantity and that she had written a letter to Councillor Rankin with her concerns some time ago; however, the letter had not come forward to Community Council. Councillor Barnet said he felt that Councillor Rankin would have forwarded her letter to staff. Only letters sent directly to Community Council would be included in Community Council's package. It was agreed to refer this matter to Councillor Rankin.

Ms. Barbara Verge referred to the intersection of Kearney Lake Road and Hammonds Plains Road and expressed concern that there have been a number of accidents there. She asked if it would be possible to construct a rumble strip to alert motorists to the stop sign at the intersection.

It was agreed to contact Traffic Services in this regard.

Ms. Barbara Verge referred to the intersection of Cree and Micmac Drives in Maplewood on the Lakes where two accidents have occurred over the last two weeks in the morning. She asked if it would be possible to install a four-way stop. It was agreed to refer this matter to Department of Transportation.

Mr. Tony Edwards asked for an update on the traffic light situation on the Bedford Highway at Fish Hatchery Lane and Union Street as he had expressed concern and provided information previously to Community Council. In reply, Councillor Kelly advised that staff is the process of reviewing the signals to find out if they can be adjusted to reflect demand and to synchronize and computerize in conjunction with the other lights.

Mr. Tony Edwards referred to a PAC meeting held at the Fenerty Room at Acadia School where there was a time limit for the meeting room even though it was a municipal building. Councillor Barnet replied that he was already looking into problems in this regard.

15. **NEXT MEETING**

Thursday, September 11, 1997 - New Fire Hall, Bedford

16. **ADJOURNMENT**

Meeting adjourned at 9:15 p.m.

Sandra M. Shute
Assistant Municipal Clerk