

SUPPLEMENTARY EXECUTIVE COMMITTEE REPORTOlympic Celebration 1988

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

"THAT Council rescind its September 15, 1987, motion approving funding totalling \$4,000 for the purpose of supporting each of the communities where there were proposed Olympic Torch Relay Stops."

MOTION CARRIED

During discussion, it was pointed out that a commitment had been made to certain communities, and in particular, Sheet Harbour and Musquodoboit Harbour, which are the only two communities where the Olympic Torch will stop, to have \$1,000 each. The Council agreed that they would respect this commitment. It was felt that a fund with an increased amount of money (\$5,000) could be available to those districts requesting financial assistance in planning any special events around the Olympic celebrations.

It was moved by Councillor DeRoche, seconded by Councillor Rawding:

"THAT Council approve an amount of \$5,000 be allocated to a fund to be administered by the Executive Committee to those districts requesting financial assistance with regards to Special Events planned respecting the Olympic Celebration, upon presentation of an approved budget."

MOTION CARRIED

Council took a 10 minute recess at 8:00 p.m., resuming its Session at 8:10 p.m.

BUILDING INSPECTOR'S REPORT - LESSER SETBACK AND SIDE YARD CLEARANCES

It was moved by Councillor Wiseman, seconded by Councillor C. Baker:

"THAT Council approve a lesser setback of 15', Lot 1, S. Havill Subdivision, Harrietsfield."

MOTION CARRIED

It was moved by Councillor C. Baker, seconded by Councillor Rawding:

"THAT Council approve a lesser setback of 29', Lot 304, Churchill Estates, Herring Cove."

MOTION CARRIED

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

"THAT Council approve a lesser side yard clearance of 4', Lot A-13, Martin Lake Subdivision, Lake Echo."

MOTION CARRIED

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

"THAT Council approve a lesser setback of 20', River Road, Lake Echo."
MOTION CARRIED

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

"THAT Council approve a lesser setback of 0' and lesser side yard clearance of 2', respectively, 392 Viewmont Drive, St. Margaret's Bay."
MOTION CARRIED

It was moved by Councillor C. Baker, seconded by Councillor Fralick:

"THAT Council approve a lesser side yard clearance of 5.05', Lot A, Markland Development, Halibut Bay."
MOTION CARRIED

URBAN SERVICES COMMITTEE REPORT

Drainage Rights-of-Way

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

"THAT Council approve the upgrading of the storm drainage system at the intersection of Gloria and Dorothy Streets in Sackville."
MOTION CARRIED

Regional Transit Advisory Committee

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

"THAT Council not support a Regional Transit Advisory Committee, as suggested in a letter from the Metropolitan Authority."
MOTION CARRIED

RESOLUTION RE SIDEWALK CONSTRUCTION AGREEMENT

It was moved by Deputy Warden Mont, seconded by Councillor Deveaux:

"THAT the Warden and the Municipal Clerk be authorized to sign Sidewalk Construction Agreement No. 1-L dated the 15th day of September, A.D., 1987, concerning the construction of sidewalks on the Fall River Road."
MOTION CARRIED

BEAVER BANK ROAD

Councillor Merrigan informed Council that up until last year, it has not been recent practice for the Department of Transportation to use salt on the Beaver Bank Road when icy road conditions occur because wells were being destroyed by the salt. However, last year, the Department used a mixture of salt and sand on the road, and no one complained about wells being destroyed.

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

"THAT Council ask the Department of Transportation to use salt on the Beaver Bank Road, during wintry conditions, because of its deteriorated condition, the speed limit, and the fact that no wells were affected by salt last year."

MOTION CARRIED

SIGNAGE

This item was deferred.

PLANNING REPORT - ACCESS APPROVALBourgeois Property/Cobequid Road

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

"THAT Council ask the Department of Transportation to reconsider the situation of Mr. Bourgeois and that Mr. Bourgeois be granted a driveway on his own property and that the culvert which he has paid for be put back in at no additional cost; and if this cannot be done, Mr. Bourgeois be refunded his money for the cost of the culvert."

MOTION CARRIED

Sight Stopping Distances

A report was tabled regarding the formula used for determining Sight Stopping Distances. There was general discussion on the problems arising when Sight Stopping Distances are not determined for the purpose of access approval prior to a lot being approved. For example, it has sometimes happened that a subdivision will be approved, but that individual lots may not be approved for having their own driveways. Mr. Meech said that according to the latest information, it seems that anyone who has been given subdivision approval will be given access, but only new lots will be examined by the Department of Transportation to see if they will give approval. Mr. Cragg said that the criteria set down for subdivision lot approval and the criteria for building permits is not exactly the same and that you might get subdivision approval but not a building permit.

EMERGENCY AGENDA ITEMS

Petition re Dogs

Councillor MacDonald advised he was in receipt of a petition signed by 31 residents in the area of Irene, Dorothy, Old Beaver Bank Rd. and Jennifer Rd., regarding barking dogs.

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

"THAT the matter of complaints regarding dogs expressed in the petition be referred to Mr. Kelly for further investigation."
MOTION CARRIED.

Beaver Bank Connector

Councillor MacDonald advised that the extension to the roadway between Sackville Drive and Highway 101 takes it dangerously close to residential areas. It was felt that fencing should be erected to protect small children in the area.

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

"THAT a letter be written to the Minister of Transportation to ask that a fence be built along the Department of Transportation Right of Way, along the section of the Beaver Bank Connector where the road comes close to residences."
MOTION CARRIED

Sidewalks:

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

"THAT a letter be written to the Minister of Transportation to express concern that the sidewalk along the Old Sackville Road has not been completed, and to request that every effort be made to complete this sidewalk this year."
MOTION CARRIED

Non-Returnable Bottles

Councillor Wiseman described her visit to the area around Sycamore Lane Elementary School, the green area and roadways around it on September 27, 1987, stating that it was a disgusting mess of litter and in a particular clearing she saw beer cans and all kinds of broken bottles. She said that even in the playground on the school grounds, there was evidence of broken glass. She cited three reasons she felt Council should take strong action against this: (1) aesthetic reasons; (2) danger involved in having broken glass/cans around; (3) cost involved in having it cleaned up.

It was moved by Councillor Wiseman, seconded by Deputy Warden Mont:

"THAT a letter be sent to the Minister of the Environment requesting legislation that would prohibit non-refillable beverage bottles and cans."

MOTION CARRIED

There was considerable discussion regarding the non-refillable/non-refundable containers, with Councillor McInroy asking whether the legislation would need to be so broad. He asked if it could apply to only single-serving size containers. Councillors Wiseman and MacKay both said that what they are trying to accomplish is the sale of only refillable and therefore refundable beverage containers. It was agreed that by making the current non-refillable/non-refundable bottles refundable (which would mean a deposit would have to be paid on the bottle up-front), this would no-doubt solve the problem to a large extent.

It was felt that this type of legislation is difficult to get, but that it is in effect in P.E.I., and in B.C., to some extent.

CRTC (Canadian Radio-Television and Telecommunications Commission)

It was moved by Councillor C. Baker, seconded by Councillor Deveaux:

"THAT a letter be written to the CRTC to request that they extend the service from Sambro to include the Pennants."

MOTION CARRIED

District 5

Councillor Colin Baker said that there had been a report in the press regarding vandalism in his district and that criticisms made regarding lack of recreation in the area were in error. He said he thought things have been blown out of proportion and wanted to let Council know that many positive things are happening in his District, to name a few:

- two fire departments
- paving of all roads
- street lights
- recreation facilities
- senior citizens' homes
- new junior high school and two elementary schools have been refurbished.

Transportation:

Councillor Rawding advised Council that residents in the Timberlea area were told there would be a By-Pass at Nine-Mile River to the 103. He pointed out that from the 103, there is an Exit 2, and Exit 4 and so on, but no Exit 3. He mentioned that the traffic problems have

been compounded with the recent Bayers Lake and Ragged Lake Parks opening in the area, causing even more traffic problems at peak hours, with people travelling from Highway #3, Highway #103, from the St. Margaret's Bay Road, the Bicentennial Highway, and Route 333 all meeting at one intersection.

It was moved by Councillor Rawding, seconded by Councillor P. Baker:

"THAT a letter be written to the Minister of Transportation asking:

- 1) What is the status of Exit 3 from the 103, with regard to both planning and financing?
- 2) Do they recognize the fact that there is a serious and dangerous problem between 4:00 p.m. and 6:00 p.m. at Bayers Lake Industrial Park?
- 3) What action does the department plan to take to alleviate this situation?"

MOTION CARRIED.

CRTC

It was agreed by the mover and the seconder of the motion dealing with the CRTC, to change the motion, so that it now reads:

It was moved by Councillor C. Baker, seconded by Councillor Deveaux:

"THAT a letter be written to the CRTC asking them to extend their service from Sambro to include the Pennants and asking them to add Leslie Road at East Lawrencetown."

MOTION CARRIED.

FOREST HILLS P.U.D. - TOWN CENTRE, STAGE 4

The Warden brought forward the Notice of Motion given by Deputy Warden Mont.

It was moved by Deputy Warden Mont, seconded by Councillor Wiseman:

"THAT Council reconsider its decision with regard to its motion adopted this evening on the Forest Hills P.U.D., Town Centre, Stage 4."

MOTION CARRIED

Deputy Warden Mont advised that he had been asked by Mr. Rankin to have Council reconsider its motion so that his group would have an opportunity to consider the changes in the Montebello proposal. Mr. Meech advised that as of October 1st when he last spoke to the principals, they were very anxious to get on with the construction. He felt that if an agreement could not be reached, they would proceed

to develop the site under the terms of the original agreement. Mr. Cragg gave the opinion that he felt they could proceed with the original plan, which would include townhouses and would involve the parkland which they would otherwise be granting to the County.

Deputy Warden Mont said he could not support a decision which would allow the developer to start construction under the old agreement.

The Warden called for a vote on the original motion, which now was on the floor.

Mr. Cragg read the original Motion to Council.
(This motion is on Page 6 of these Minutes.)

The Motion was carried unanimously.

There being no further business, Councillor DeRoche moved that the meeting adjourn. The meeting adjourned at 9:30 p.m.

COUNCIL SESSION

OCTOBER 20, 1987

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Rawding
Councillor Fralick
Councillor P. Baker
Councillor C. Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Merrigan
Councillor MacKay
Councillor McInroy
Councillor Eisenhower
Councillor MacDonald
Councillor Wiseman
Deputy Warden Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
Mr. G. J. Kelly, Municipal Clerk
Mr. R. G. Cragg, Municipal Solicitor
Ms. Val Spencer, Director of Planning and Development

SECRETARY: Mrs. M. R. Murphy

The Warden called the meeting to order at 6:10 p.m., with the Lord's Prayer.

Mr. Kelly called the roll.

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

"THAT Margo Murphy be appointed Recording Secretary."
MOTION CARRIED

Warden MacKenzie welcomed Councillor Lichter back from his trip abroad.

APPROVAL OF MINUTES

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

"THAT the Minutes of the Public Hearing of September 14, 1987, be approved as circulated."
MOTION CARRIED.

Warden MacKenzie welcomed a group of Boy Scouts from Eastern Passage to the Council Chamber. Councillor Deveaux introduced the leaders and members of the group and presented each of them with a County of Halifax pin.

LETTERS AND CORRESPONDENCE

1. Dartmouth General Hospital

Mr. Kelly read a letter from the Dartmouth General Hospital dated September 30, 1987, advising that the one year term of office on the Board of Commissioners (currently held by Councillors DeRoche and Mont) will expire in November, 1987.

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

"THAT Council re-appoint Councillors DeRoche and Mont to the Board of Commissioners of the Dartmouth General Hospital for a further term of one year."

MOTION CARRIED

2. The Halifax Herald Limited

Mr. Kelly referred to the two letters from the Halifax Herald, both dated October 16, 1987, regarding the article published by the paper on August 1, 1987, entitled "Eastern Shore Illiteracy 65%".

It was moved by Councillor Lichter, seconded by Councillor Rawding:

"THAT this item of correspondence be received."

MOTION CARRIED.

Councillor Lichter said that since he was the one who suggested that Mr. Kelly write weekly to the Halifax Herald Limited, he would now like to propose to Council that we discontinue this follow-up and simply accept the decision of the Halifax Herald Limited. He said the reason was that he felt he didn't want to influence, as a member of Council, any free and independent press to make any kind of statement. He had hoped that the self-respect and the honourable conduct rules would force them to do just that.

SUPPLEMENTARY REPORT OF THE PLANNING ADVISORY COMMITTEE

1. Undersized Lot Legislation Lots of Gary and Karen Duchesne, East Chezzetcook

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

"THAT Council approve the proposed sub division of Lots A2-A and A2-B of the lands of Gary and Karen Duchesne and that the Public Hearing date be scheduled for Tuesday, November 17, 1987, at 7:00 p.m."

MOTION CARRIED

2. Cole Harbour/Westphal - Serviceable Boundary

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

"THAT Council schedule a Public Hearing necessary to amend the Subdivision By-Law for the same evening as the Public Hearing to amend the MPS, that being November 23, 1987, at 7:00 p.m."

MOTION CARRIED

PROPOSED AMENDMENT TO FOREST HILLS P.U.D. - TOWN CENTRE - STAGE 4

Ms. Spencer was asked by Warden MacKenzie to address Council regarding the Forest Hills P.U.D. Agreement. Ms. Spencer advised that at the Council Session of October 6, 1987, a Motion was carried approving a minor amendment to the Planned Unit Development for Forest Hills, Phase 10, in order to permit the development of 19 semi-detached lots on a certain parcel of land off of Chameau Crescent. The information as to the number of lots which should be approved was inaccurate due to human error, and at this point in time, Ms. Spencer asked Council to amend the P.U.D. agreement again, for parcels MFTC-4-1A Forest Hills, in order to permit the development of 20 in lieu of 19 semi-detached lots, on the recommendation of the Development Officer, who is ready to approve, after this Council expresses its agreement.

Municipal Solicitor Cragg advised that this matter could be dealt with by way of a minor amendment, but according to the By-Law, this must come on the recommendation of the Development Officer, which is in fact the case.

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

"THAT Council approve an amendment to a motion passed by Council at the October 6, 1987 Session respecting a proposed amendment to Forest Hills P.U.D. as outlined by Ms. Spencer."

MOTION CARRIED.

Councillor DeRoche questioned the need for a Motion. He said he could not recall using the number 19 in his Motion.

Deputy Warden Mont advised that he could not remember the exact number being in the proposal, but he did recall the number 19. He felt, however, that the intent was not based on any particular number of semi-detached lots, but on the over-all scheme. He asked if the rest of the scheme would remain intact. Ms. Spencer advised that except for this minor amendment, the rest of the proposal, with the changes outlined at the October 6 Council Session, is firm.

CHIEF BUILDING INSPECTOR'S REPORT

Lesser Side Yard Clearance - Lawrencetown

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

"THAT Council approve a lesser side yard clearance of 2'5", Lawrencetown Road, Lawrencetown; as applied for by Mr. Michael Landry."

MOTION CARRIED

Mr. Donald Rankin, representing the residents of Forest Hills was permitted to address Council to voice the concerns of residents with regard to further development as proposed by Montebello Developments Ltd. Mr. Rankin advised that although he had wished to address the concerns of the residents, the new information brought forward by Deputy Warden Mont may change their views and he said he would like to have time for his association to look over the proposed changes and suggested that a Public Hearing be held to review this matter.

The Warden thanked Mr. Rankin for his presentation.

COLE HARBOUR/WESTPHAL SERVICEABLE BOUNDARY - FILE NO. PA-CH/W-07-86

A report from the Planning Advisory Committee dated September 21, 1987, was reviewed.

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

"THAT Council approve the Amendments to the Cole Harbour/Westphal Municipal Planning Strategy outlined in the Staff Report dated September 21, 1987, and Appendix "A" attached thereto."

MOTION CARRIED

BEAUFORT MADER - APPLICATION NO. RA-SA-18-87-19

A Staff Report dated September 21, 1987, was reviewed.

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

"THAT Council approve the application by Beaufort Mader to Rezone the lands of Noel Feetham, 11 Beaver Bank Road, District 19, from R-1 (Single Unit Dwelling) Zone to P-2 (Community Facility) Zone."

MOTION CARRIED

PUBLIC HEARING - HENRICA KERKHOFF - APPLICATION NO. F 487-87-05

A Staff Report dated August 17, 1987, was presented by Linda Malloy of the Development Division. No one in the Gallery wished to speak either in favour or against this application.

It was moved by Councillor C. Baker, seconded by Councillor DeRoche:

"THAT the proposed subdivision of Lots 12-13A and 12-13B of the lands of Henrica Herkhoff be given final approval."

MOTION CARRIED

REQUEST FOR SIDEWALK - DISTRICT 6

Councillor Deveaux asked that a resident from his area, Mr. Michael Winter, be allowed to speak in regard to local residents' request for a sidewalk along the stretch of roadway from St. Andrew's Church and Oceanlea Drive. Council agreed to let Mr. Winters make his presentation.

Mr. Winters presented Council with a petition signed by some 950 residents in favour of having a sidewalk built on Shore Road. He stated that this is a dangerous stretch of roadway and went into detail about the on-going efforts of residents to get a sidewalk. Councillor Deveaux said that he sympathized with the group but that nothing could be done until funds become available from the Provincial Government, who in fact have advised they will be starting construction in 1988. Councillor Deveaux assured Mr. Winters that he would keep abreast of the situation to ensure that construction does begin when promised by the Government. Mr. Winters suggested that construction should begin right away and it was pointed out that if the County proceeds to have the sidewalk built, without support from the Province, it would cost the taxpayers of that area a great deal more money, in that they would have to pay the whole shot (by way of an area rate), rather than having the project cost-shared by the Provincial Government.

The Warden asked Council to recognize Mr. Don Mills, a gentleman who has done a lot of community work in the County.

NOTICE OF MOTION

Deputy Warden Mont gave notice that he would ask Council to reconsider the Motion that was made with regard to Forest Hills P.U.D. this evening. Warden MacKenzie gave the ruling that this item would be dealt with at the end of the Session, and that a simple majority vote would be required to have Council reconsider its motion.

EXECUTIVE COMMITTEE REPORTMoser's River Fire Station

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

"THAT Council approve the purchase of a parcel of land, Lot A from Laura Tatrie for \$ 1,000 to be acquired for the Moser's River Fire Department for expansion purposes."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT1. Request for Loan - Prospect Rd. District Lions Club

It was moved by Councillor P. Baker, seconded by Councillor Fralick:

"THAT approval be given to a loan in the amount of \$40,000 to the Prospect Road District Lions Club, for improvements to the Lions Club Hall; to be advanced over a ten year period of principal and interest, and to be subject to the recommendations outlined in the report."

MOTION CARRIED

2. Loan - St. Margaret's Bay Arena Association

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

"THAT approval be given to a loan in the amount of \$575,000 towards construction of an arena, community hall and outdoor swimming pool. Of this amount, the Province has agreed to fund \$540,000 over three years and the Municipality of the County of Halifax has granted \$35,000 over a three year period. This loan to be subject to the recommendations outlined in the report."

Councillor P. Baker referred to the report dated October 1, 1987, from Mr. K.S. Wilson on this subject. He noted that in Paragraph 3 it states that the five Councillors whose districts would be served by the facility, including himself, have agreed to support the advance. Councillor P. Baker said that no one had approached him on this matter. He further stated that he was not in opposition to this, but that the report was incorrect in stating that he had agreed to this. He said he didn't mind agreeing to this, but would like to be asked before it is put in a report.

Councillor Eisenhauer informed Council that he was aware of this situation and explained that what had happened was that although all the Councillors had agreed in principle, the arena association had meant to get them all together to re-confirm this stand, but that with the arena construction getting underway, and everyone being so busy with that, it was an oversight that they did not get everyone together. He stated that he didn't think it was their intention or Mr. Wilson's intention to mislead anyone. The intent was that once the recommendation was made, it would come back to the Councillors.

MOTION CARRIED

3. Temporary Borrowing Resolution

It was moved by Councillor McInroy, seconded by Deputy Warden Mont:

"THAT Council approve a Temporary Borrowing Resolution with regard to Cole Harbour Place, in the amount of \$1,500,000, as outlined in the Executive Committee Report."

Councillor Lichter said that when the initial meeting was held and the proposal of a \$1.5 million loan was discussed, certain terms were worked out and it was left up to staff to work on those recommendations. He said that he would like to see these in writing at some future date.

Councillor Deveaux advised that he did not support this when it was originally brought forward and that he could not support the present motion before Council.

MOTION CARRIED

4. Request for Grant - District 21

It was moved by Councillor MacKay, seconded by Councillor Rawding:

"THAT Council approve a District Capital Grant in the amount of \$3,000 for fencing county-owned walkways."

MOTION CARRIED

METROPOLITAN AUTHORITY

Councillor McInroy commented on some of the items that were discussed at the last meeting of the Metropolitan Authority, which was held on October 13, 1987.

1. The proposed garage expansion: This expansion was raised at the last meeting, and it was suggested that some \$50,000 be authorized for consultants or pre-design people to determine what is needed in terms of an expansion in the Burnside Park area for the Metro Transit buses. Some concern was expressed that the \$2 Million cost could have carrying charges of \$300,00 or \$400,000 per year; and there was some question as to how cost effective it would be. This has been referred to staff for additional report back to the Authority.

2. Transit Cost-Sharing by Assessment - Staff is preparing proposed By-Law Amendments to deal with this and the recommendation is that it be referred to the CAO Committee, both with respect to the By-Law changes and the position that the additional costs that would be dealt to both Hfx. Co. and the Town of Bedford under the proposed changes would be phased-in so that the impact is spread out.

3. Timberlea Bus Route - this has been confirmed as being instituted on November 19th.

4. Go-Time - A report on this indicates that about 3,500 calls are being received each day for information.

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

"THAT this report be accepted."

MOTION CARRIED.

Councillor DeRoche asked about the off-way that was to be constructed from the Transit Garage directly to the Circumferential Highway. The roadway looks like it is an off-ramp onto the Transit Authority property. Councillor McInroy said that he was not certain about this either. It appears that they have combined some rectifying of a problem area with the new ramp. The Warden advised that he has asked Mr. Meech to obtain a copy of the plan so that Council can take a look at it and clarify this matter.

Councillor Eisenhower commented on the expansion of the Transit Garage. He suggested that in order to eliminate some of the "dead-head" mileage (when no passengers are on board) across the various bridges, maybe there should be overnight stations. This might save money in acquiring property and in the cost of empty buses going back and forth. He also commented on the cost-sharing formula and what Bedford is doing. He thought we should try to get the grants back to the Municipalities. Having the grants going to off-set the deficit in each municipality is not helping.

Councillor MacDonald advised that he had tried to get the idea of sub-garages across at the Metropolitan Authority Meetings. The Authority doesn't think it is financially feasible due to the maintenance schedule of the buses. He still feels it is cost-efficient but there doesn't seem to be any support for it.

With regard to cost-sharing, the county contribution was 17%, and then it was increased to 18%. Bedford's rate is at 58%. The reason ours was increased by the 1% was to off-set Bedford's large increase. Councillor MacDonald said that he was not notified of our increase and he thought Council should have a look at this. The Warden said that the increase of 1% was to help cover our deficit.

Warden MacKenzie welcomed the 4th Sackville Boy Scout Troop. Councillor Wiseman introduced the leaders and Scouts to Council and presented each of them with a County pin.

District #1

This item was deferred.

DEPT. OF FISHERIES

Councillor Baker brought to the attention of Council the problems that were encountered between the Federal and Provincial fisheries authorities with respect to over-fishing or bootleg fishing earlier this year.

He reported that on Saturday evening, October 17, 1987, two ships came into the harbour at Terence Bay, and two tractor trailers which were in the village for about an hour. The ships came in without lights which looked very suspicious. And although no one can say for sure

or definite that yes, they were bootlegging fish, overfishing and coming into another haven to dispose of their illegal catch, but what can one think when these boats come in in the night -- and several tractor trailers waiting by, and to unload at that hour of the night, and they completed their unloading at about 2:00 a.m. Some of the local fishermen are very concerned about it -- the effect that it would have on the inshore fishermen, who did have a very poor year. I'd say that it's greed and some people say that they have big expensive boats to pay for and that makes it OK, but a lot of people have mortgages to pay, etc., but they don't break the law to go and pay their bills. Also, there is another side. If these boats can come in late at night and unload -- without the presence of the Dept. of Fisheries' officials, without the presence of the RCMP or the Enforcement Officers, what is to say that they have not got aboard those ships some illegal drugs. What is to say that they are not met offshore by some boats with illegal drugs. It shows how easy it is for refugees to land also. It is very disturbing that these boats can come in at this late at night and disturb the peace of the village.

Councillor P. Baker suggested that a letter be sent to the Dept. of Fisheries confirming or denying that such an incident took place.

It was moved by Councillor P. Baker, seconded by Councillor Adams:

"THAT a letter go to the Department of Fisheries to ask about the incident that took place on Saturday, October 17th, 1987, at Terence Bay, and to confirm or deny that it did happen."

Councillor MacKay suggested that the wording of the motion say that we ask them to investigate and a report to come back rather than to confirm or deny.

Councillor Baker and Councillor Adams agreed to this change in the motion so that it now reads:

"THAT a letter be sent to the Department of Fisheries asking them to investigate an incident that took place in Terence Bay on Saturday evening, October 17, 1987, and to send their report back to Council on this matter."

MOTION CARRIED

EMPLOYMENT

Councillor Fralick advised that on October 8, 1987, at 1:00 p.m., Bowater conducted a tour of their Base Camp at the Head of St. Margaret's Bay. Councillor Fralick said it was unfortunate that only two of the Councillors and the Warden were able to attend. There were 7 or 8 Councillors from Chester and several from Hants there also.

Councillor Fralick said that 83% of all employment in Halifax County is derived from small business. Bowater employs 1000 people directly and indirectly 4,100 people through sub-contracts through small business. Quite a number of those are in Halifax County.

Councillor Fralick outlined the activities which were planned by Bowater for the day, and said it was very informative.

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

"THAT Council ask Bowater's President Bob Weary to bring his slide presentation in for us to view."
MOTION CARRIED

Warden MacKenzie said that it was a disappointment that more people didn't show up. He said that Bowater was very prepared to take us on the tour and he was pleased with the reception, there was a great amount of planning.

CRTC

Councillor Baker advised that he sent in a Petition to CRTC in Ottawa, a copy to Howard Crosby and one to Halifax Cable regarding the extension of cable from Sambro to Pennants. It was granted immediately and will be installed between now and April, 1988.

AEROTECH PARK

Councillor Rawding addressed this matter saying that he would like to extend congratulations to all who took part in the opening of the Aerotech Industrial Park. He said it was an impressive opening, with representatives from the Federal, Provincial and Municipal levels of government. Councillor Rawding said he thought congratulations are in order to Councillor MacKay, Chairman of the Industrial Commission, the staff and to all the County Councillors.

DEPT. OF TRANSPORTATION

Councillor Randall brought to Council's attention the fact that the Department of Transportation had responded to our request regarding the hazardous situation at Gaetz Brook, by improvements to the road which he felt would definitely help to correct the situation and remove the hazard.

It was moved by Councillor Randall, seconded by Councillor P. Baker:

"THAT a letter of thanks be written to the Minister of Transportation regarding the improvements to the roadway at Gaetz Brook."
MOTION CARRIED

ITEMS FOR THE NOVEMBER 3, 1987 AGENDA

1. Councillor MacKay - Department of Transportation Driveway Approvals
2. Councillor P. Baker - Department of Social Services (Provincial)
3. Councillor Randall - Dredging - Three Fathom Harbour

ADJOURNMENT

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

"THAT this Session be adjourned."

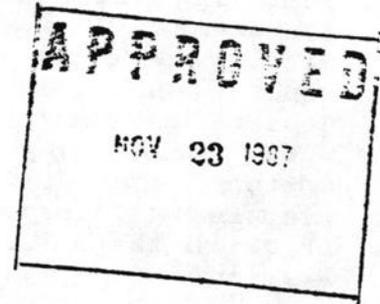
MOTION CARRIED.

The Session adjourned at 7:20 p.m.

PUBLIC HEARING

OCTOBER 26, 1987

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Walker
Councillor Rawding
Councillor Fralick
Councillor P. Baker
Councillor C. Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Merrigan
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman
Deputy Warden Mont



ALSO PRESENT: Mr. G. J. Kelly, Municipal Clerk
Mr. R. G. Cragg, Municipal Solicitor
Mr. Bill Butler, Director of Policy Division
Ms. Kate Moir, Policy Division

SECRETARY: Mrs. M. R. Murphy

Warden MacKenzie called the Public Hearing to order at 7:00 p.m. with the Lord's Prayer. Mr. Kelly called the roll.

The Warden advised that there were three Public Hearings to be dealt with and explained the procedure for the benefit of people in the gallery. He advised that following staff's presentation of each case, he would ask if anyone in the gallery wished to speak in favour of the amendment or application, and if so they would be asked to come forward. Following all those who wished to speak in favour, he would then ask all those who wished to speak in opposition to come forward.

1. AMENDMENT TO THE COLE HARBOUR/WESTPHAL MUNICIPAL PLANNING STRATEGY APPLICATION NO. PA-CH/W-03-87

Kate Moir from the Policy Division outlined staff's report on the Richardson's Drive/Salmon River Drive area. This area was originally included in the District 8 and 9 Municipal Planning Strategy. She advised that subsequent alteration to the 8 and 9 boundary for the Lawrencetown Municipal Planning Strategy isolated this area from the

remainder of Districts 8 and 9, but did not include it in any other plan area. In addition to 8 and 9, three plan areas abut the Richardson's Drive/Salmon River Drive area -- Preston, Lake Major, Lawrencetown and the Cole Harbour/Westphal Plan areas. The Public Participation Committee of Districts 8 and 9 determined that area residents should choose which Plan Area they wished to belong to. Three public meetings were held in this regard. At the third meeting, on April 22, 1987, after the residents had an opportunity to review relevant portions of all the Plan, a vote was held and the majority present favoured joining the Cole Harbour/Westphal Plan Area. Following this meeting, staff prepared a report and Plan and zoning amendments. The aim was to accommodate the observed land use pattern within the context of the existing Cole Harbour/Westphal Plan. The report was presented to the community at a Public Participation Session on July 16. Residents' concerns expressed at this meeting were focused on the non-residential properties. A report on the options open in dealing with these properties was subsequently prepared. Information packages were hand-delivered to area residents prior to the April and July meetings and prior to this present Public Hearing.

To summarize, the area is unserviced and is still largely semi-rural in nature. Existing land use is almost exclusively single-unit residential. One two-unit dwelling has been identified and other apartments may exist. A number of home occupations are believed to exist in the area. Some large buildings in the area do have businesses operating from them. A wholesale bakery and a taxidermist are located on the northern boundary. These are largely surrounded by undeveloped land.

The Residential A designation of the Cole Harbour/Westphal Plan recognizes existing residential land uses. It also recognizes that the larger lot areas of the unserviced portion can support a variety of home businesses. This designation is recommended. The residential zones that were considered for the area were R-1, R-2 and R-6. In view of the transitional nature of the area, moving from rural to urban, R-6 appears to most accurately reflect the existing land use pattern. It provides for a variety of home-business uses and accommodates any accessory apartments. R-1, on the other hand, permits only professional offices and day-care uses, in conjunction with single-unit dwellings.

Staff recommended that the R-6 zone be applied throughout the residential portion of the area. Given that the taxidermist and bakery are located peripherally to the residential area, on a major provincial highway, it is recommended that these properties be zoned I-1. While the location of Lot X-2 (Jack Way property) suggests some potential for commercial development, the configuration of the property and its proximity to a residential area, present some limitations. It is recommended that any commercial development of this property should be by Development Agreement. Some businesses are located in accessory buildings within the residential area. Some of these have been identified by their owners, and it is recommended that these properties be included in Appendix B of the Cole Harbour

/Westphal Plan. This appendix lists a number of service industrial uses, not otherwise permitted in the Residential A designation, and permits them to continue to exist to the extent which they are in existence now. The properties in question are: Handy Builders Ltd., 154 Salmon River Drive (LRIS40187361); J & D Repair, 37 Chris Evans Drive (LRIS40144610); and Harold S. Cooper, 134 Richardson's Drive (LRIS40335846). Should any other such businesses be identified, staff recommends that they also be included in the Appendix.

Ms. Moir said that, in summary, the zoning has been recommended because it appears to best reflect the nature of the neighbourhood.

Ms. Moir advised that a petition has been received requesting R-1 zoning in some of the locations within the Richardson's Drive/Salmon River Drive area, and a specific request has been received for consideration of commercial development in the area behind the taxidermist and bakery.

SPEAKING IN FAVOUR OF THE APPLICATION

RON COOPER, Chairman, Municipal Plan Development Committee
Cole Harbour/Westphal Service Commission

(Although Mr. Cooper spoke during the time set aside for those in favour, he was actually in opposition)

Mr. Cooper spoke in opposition of the application and said that the Commission had looked at this application a number of months ago and felt that the R-6 zoning was not in keeping with the residential aspects of this area. They felt that an R-1 zone would be more appropriate. He also felt that with regard to the petition received, the wishes of the residents should be upheld. (The petition referred to is that presented by Mr. Grayson).

Questions from Council: None

The Deputy Warden asked the Solicitor if Council wished to support the areas joining the Cole Harbour/Westphal Plan, could this be done without also accepting the R-6 zoning and favouring an R-1 zoning?

Mr. Cragg advised that he did not feel Council should consider an R-1 zone because it was advertised that Council would consider an R-6 zone. If Council was to approve an R-1 zone, this is much more restrictive than an R-6 zone, and it could be said that people were misled by the advertising.

DANA CUVELIER, 128 Richardson Drive

Mr. Cuvelier advised that he was in favour of R-6 zoning and that another resident in that area, Mrs. Van Heuven, Chris Evans Drive, is in favour of R-6 and opposing R-1. He thought that the petition favouring R-1 was misrepresented in a number of cases.

STEVE COOPER, 34 Chater Drive

Mr. Cooper asked for clarification of the R-1 zone and the R-6 zone. He said that with regard to R-6 zoning and businesses permitted under this zone, he has some concern for present owners and their future -- are the businesses transferrable -- either through deed to new owners or to their kin; are businesses expandable -- or once they cease to own that business is that the end of it.

Mr. Butler explained the differences between the R-1 and R-6 zones. He advised that R-1 zoning only permits professional businesses within the home, where the R-6 permits businesses uses. Both permit up to 300 sq.ft. or 25% of the dwelling unit. R-6 does not allow anything beyond a duplex as far as housing is concerned. Existing business would be permitted within the Appendix.

ROSS MUNROE, 154 Salmon River Drive

Mr. Munroe agreed with the Planning Department's recommendation and said that he felt that the area was more of an urban area, and that an R-1 would be too restrictive.

OPPOSING THE APPLICATIONBERNIE ROGERS, Lot 11A, Estate of Mrs. LaPierre

Mr. Rogers advised that he had not been aware of the meetings that had been taking place with regarding to Zoning. He is a part-owner of Lot 11A and although the residents of the area were advised of the meetings, he was not aware of them. He advised that he is not in favour of the proposed R-6 zoning. He said his land was to be zoned residential. Where his land is located near the highway and could be considered for commercial development, he would like to have a commercial zoning for his property.

Questions from Council:

Councillor Deveaux clarified that what Mr. Rogers would like for his property is a commercial zoning. Councillor Eisenhauer asked for further clarification and asked what specific zoning he would like to have for his property. Councillor Wiseman asked if this property's zoning could be left until Mr. Rogers had gotten around to developing it and it could then be developed under a Development Agreement.

Mr. Butler advised that the Dept. of Transportation will not allow any access to the 107 beyond Chater Drive and that this would raise some other considerations in this issue.

Councillor Wiseman said that while the information from the Department of Transportation is not favourable at this time, that this might change in the future, and if Mr. Rogers is not planning to develop the land in the very near future, perhaps this could be left open to him.

Mr. Butler agreed that Council might decide to treat this parcel of land similar to Lot X-2, to provide some mechanism at some future point and to deal with it on a specific development basis.

Councillor Wiseman asked Mr. Cragg if Mr. Rogers' land could be deleted from the application being considered, and treated in a different manner. Mr. Cragg advised that he thought Council could delete it -- but he felt Council shouldn't do anything to it other than was advertised.

Councillor MacDonald said that if Council deletes this particular property from the application, and Council adopts the plan, this property is left in limbo. He felt that it wouldn't be fair to the rest of the area, not knowing what the status is on this land, and what might happen in the future. He said he was concerned that this property should be dealt with at this time or in the very near future.

Mr. Butler advised that in terms of commercial zoning, neither a C-2 nor a C-4 are permitted within the Residential A designation, which was the reason that there is a policy contained in the proposed amendments with respect to Mr. Way's property which specifically permits consideration of a residential type of development at some future point. Mr. Butler suggested that if Council should decide that they wish to treat Mr. Rogers in a similar fashion to Mr. Way, that a similar policy would be the most appropriate course of action.

Mr. Cragg advised that it would be possible to leave this particular property out of the Plan for the time being.

The Warden asked Mr. Butler for a clarification of the process involved in setting up the Public Participation meetings.

Councillor DeRoche asked Mr. Cragg what would be the zoning of the property in question if Council left it out of the Plan that we are looking to approve this evening. Mr. Cragg said that if this property was deleted it would retain whatever zoning it has on it at the present time.

Councillor DeRoche said that conceivably, this could mean that applications could be made for development of the property that are inconsistent with the present nature of the general area that he could not support leaving this particular parcel of land out of the Plan.

Councillor Adams said that he thought that we would not be protecting the residents in the area if this parcel of land was left out of the Plan.

BRIAN GRAYSON, 46 Chris Evan Drive

Mr. Grayson said that he was opposed to the R-6 zoning because he did not want multi-unit housing in his area. He wants it to remain as a single-family dwelling area. Councillor DeRoche mentioned the restrictions that are in place regarding on-site systems which would probably restrict the area to single-unit dwellings for some time.

Deputy Warden Mont asked Mr. Grayson if the petition that is attached to his letter was circulated by him. The petition in question was in favour of R-1 zoning, and Mr. Grayson advised was representative of approximately 50% of the residents, in his opinion.

Councillor Lichter said that when the Planning Committee met in the area, the Committee got the impression at that time that there was no great demand for R-1. Mr. Grayson said that he thought there was a misunderstanding because when he took the petition around, most people were of the impression that the area was to be zoned R-1 and were shocked when they realized it would be zoned R-6.

Councillor Merrigan advised that if the application is defeated tonight, the area would be left with the zoning it currently has, which is general. Councillor Merrigan said that this causes him quite a lot of concern because no one would be protected as long as the zoning remains general.

Councillor MacDonald suggested that we should find out exactly what the community wants -- it seems from the presentations made, and the map that had been shaded to show those in favour of R-1, that half of the residents want R-1 and half want R-6.

RAY FINAL, 125 Chris Evans Drive

Mr. Final stated that he opposed the proposed zoning. He was critical of the advertising that was done with respect to the Public Meetings, and said he thought people who did attend the meetings, in his opinion, were confused, and thought they were voting in favour of an R-1 zone, and in fact that is what he thought he voted for, with the provision that existing businesses would be permitted under some amendment, or appendix.

BERNARD GORDON, 202 Salmon River Drive

Mr. Gordon presented a petition signed by residents on Salmon River Drive, in opposition to commercial applications re Lot X-2. The petition contained 48 signatures. Councillor Lichter clarified that there were two petitions. One circulated by Mr. Grayson and the one being presented by Mr. Gordon.

Mr. Gordon read his petition:

"This petition is presented on behalf of the residents of Salmon River Drive in opposition to proposed re-zoning from residential to commercial of Lot X-2, located between Highway No. 7 and Salmon River Drive, and owned by Mr. Jack Way. We feel that the residential quality of the neighbourhood should be maintained; therefore, we propose that the property in question be zoned residential, to coincide with the residential zoning to be placed on the area. We also feel that property values may depreciate in market value should a commercial venture be allowed to locate on Lot X-2. A commercial venture located on Lot X-2 may also cause an environmental hazard, should the brook and marsh area become polluted. This brook runs parallel to Lot X-2 and into the marsh area, draining into the Salmon River itself. This brook and marsh support nesting water fowl in the spring and summer months as well as young trout and salmon. For these reasons, we feel that any commercial venture would only have a detrimental affect on the whole area in question.

We the undersigned support the above."

Councillor Lichter asked Mr. Gordon which residential zoning was referred to in the petition. Mr. Gordon said that whichever residential zone is applied to the area is what is meant, but that he personally is for R-6.

JACK WAY, Owner of Lot X-2

Mr. Way spoke in favour of his land being zoned commercial, and said that it was not his intention to put a salvage yard on that property. The Warden pointed out that Mr. Way was speaking in favour of the proposed zoning and that he has asked that the people who were in favour to speak first and the people in opposition to speak second. Mr. Way said that he was only speaking in defence of his view. He also said that he was in attendance at the Public Meetings and did not think they were poorly advertised.

Councillor P. Baker asked if it would be in order to send this matter back to staff for further review. Councillor Baker said he would find a decision hard to make in this instance as the people whom it would affect do not seem to be able to agree. The Warden said that it would be up to Council.

Councillor Eisenhauer said that he felt there was a strong conflict in the area. He felt some people moved into the area who wanted general zoning, and some people wanted R-1. He thought the R-6 was the middle of the road, but said he would feel better about it if it was sent back to the Planning Advisory Committee. He thought the best recommendation from staff would be the R-6 zoning, but felt that this should go back to PAC.

Councillor Merrigan felt that Council had no choice but to decline the application tonight.

It was moved by Councillor Merrigan, seconded by Councillor P. Baker:

"THAT we refer this application back to staff."

Councillor Lichter felt that if it was "referred" back, there was nothing further to be done. He felt that if it was rejected that PAC would have to start from scratch and go back to the public and perhaps come up with a different recommendation, but that referring it back to staff would accomplish nothing.

He said that his personal preference would be to have the staff report tonight approved as it is, with one change, which would be that the proper policy be written for Mr. Roger's piece of land, that would treat him the same way as Mr. Jack Way. He wanted to point out to the public that it is not only that a Development Agreement would have to be worked on by staff and PAC and the applicants, but there would also have to be a Public Hearing before a Development Agreement is approved by Council, and that is the protection that exists for those two parcels of land.

Warden called attention to the motion on the floor.

Councillor McInroy wanted to know if we referred it back to PAC, can it come back to Council for a decision on anything but an R-6?

Mr. Cragg advised that that would be correct. Councillor Adams wanted to know if the area was zoned R-6, could a particular group come in and have a subdivision re-zoned R-1. Mr. Butler said that they could.

The Warden asked for the vote on the Motion.

MOTION DEFEATED

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

"THAT Council adopt the Planned Amendments as presented by staff."

MOTION DEFEATED. Vote Count: For - 10; Against - 9

A majority vote of Council, requiring 11 votes, was necessary for the motion to be carried.

Councillor Wiseman said that it is her understanding that the whole matter goes back to square one -- back to PAC, and that process, and then back to Council again. The Warden confirmed that this was correct.

APPLICATION NO. DA-SA-04-87-17

Mr. Butler presented an application for a Development Agreement between the County and Mr. William J. Casavechia, for a garden and market centre.

The Warden asked if anyone wished to speak in favour of the application.

Mr. Ron Cooper addressed Council to advise that the Cole Harbour/Westphal Service Commission is in favour of the application.

No one wished to speak in opposition of the application.

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

"THAT Council approve the Development Agreement between the Municipality and Mr. William J. Casavechia for a garden and market centre located on Cole Harbour Road, across from Nova Terrace, Cole Harbour in accordance with recommendations from Staff."

MOTION CARRIED

SUBDIVISION BY-LAW AND BUILDING BY-LAW AMENDMENTS
RE: PLANNING DISTRICTS 15, 18, 19 MPS

Mr. Butler presented the two sets of amendments with respect to the MPS for Planning Districts 15, 18 and 19.

The first one presented was with respect to the subdivision by-law and implementing Policy P-92. The amendments to the building by-law implement Policy P-134 of the plan which deals with Mobile Homes meeting the CSA standards with respect to the unit and foundation.

There was no one wishing to speak in favour of or in opposition to these amendments.

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

"THAT Council approve the By-Law to Amend the Subdivision By-Law, as presented by staff."

MOTION CARRIED

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

"THAT Council approve the By-Law to Amend the Building By-Law, as presented by Staff."

MOTION CARRIED

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

"THAT this Public Hearing be adjourned."

MOTION CARRIED.

AGENDA

PUBLIC HEARINGS

OCTOBER 26 1987

1. Amendment to the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law to include the Salmon River Drive/Richardson Drive area within the Cole Harbour/Westphal plan area.

A majority vote of the Whole Council is necessary for adoption of the plan and by-law amendments.

2. Application No. DA-CH/W-04-87-17 - A public hearing to consider a proposed development agreement between the Municipality and Mr. William Casavechia with respect to the establishment of a garden centre on Caldwell Road in Cole Harbour.

A majority vote of Councillors present is necessary for adoption.

3. Amendments to the Subdivision By-law and Building By-law to implement the Planning Districts 15, 18 and 19 Municipal Planning Strategy.

A majority vote of the Whole Council is necessary for the Subdivision By-law amendments.

A majority vote of Councillors present is necessary for the Building By-law amendments.

A BY-LAW TO AMEND THE
MUNICIPAL DEVELOPMENT PLAN FOR COLE HARBOUR/WESTPHAL

The Municipal Development Plan for Cole Harbour/Westphal is hereby amended by:

- (a) inserting immediately following Policy P-39(b), the following:

The property at the western corner of the intersection of Salmon River Drive and Highway No. 107 has in the past been considered for commercial development. The configuration of this property, and its proximity to a residential area place limitations on the types of commercial uses that would be appropriate. Nevertheless its location adjacent to Highway 107 does indicate some potential for commercial development. The intention is to provide for flexibility in the development of this property while maintaining control over any proposed use.

P-39(c) Notwithstanding Policies P-30 and P-39, Council may consider commercial development of the property located at the western corner of the intersection of Salmon River Drive and Highway No. 107 (LRIS No. 40168874), in accordance with the provisions of Sections 55, 66 and 67 of the Planning Act. In considering such a development agreement, Council shall have regard to the following:

- (i) the potential for adversely affecting neighbouring land uses;
- (ii) that adequate separation distances are maintained from low density residential developments and that landscaping is carried out to reduce the visual impact of the proposed use.
- (iii) the impact of the proposed use on traffic volume and the local road network, as well as traffic circulation in general, sight distances entrances and exits from the site;
- (iv) that the scale and design of any building(s) are compatible with nearby uses;
- (v) the general maintenance and hours of operation of the use;
- (vi) signage;
- (vii) the adequacy of parking; and
- (viii) the provisions of Policy P-93.

- (b) and by inserting immediately following Policy P-92(ii)(a), the following:

- (b) commercial development on lands at the western corner of the intersection between Salmon River Drive and Highway 107 according to Policy P-39(c).

- (c) amending the Generalized Future Land Use Map (Map 1) to incorporate the Salmon River Drive/Richardson Drive area and to designate it as Residential A, as shown by Appendix "A" attached.

THIS IS TO CERTIFY that the by-law of which this a true copy was duly passed by a majority vote of the whole Council at a duly called meeting of the Municipal Council of the Municipality of the County of Halifax held on the [] day of [], A.D., 1987.

GIVEN under the hand of the Municipal Clerk under the corporate seal of the said Municipality this day of A.D. 198[] .

GERARD J. KELLY,
Municipal Clerk

A BY-LAW TO AMEND THE
ZONING BY-LAW FOR COLE HARBOUR/WESTPHAL

The Zoning By-law for Cole Harbour/Westphal is hereby amended by:

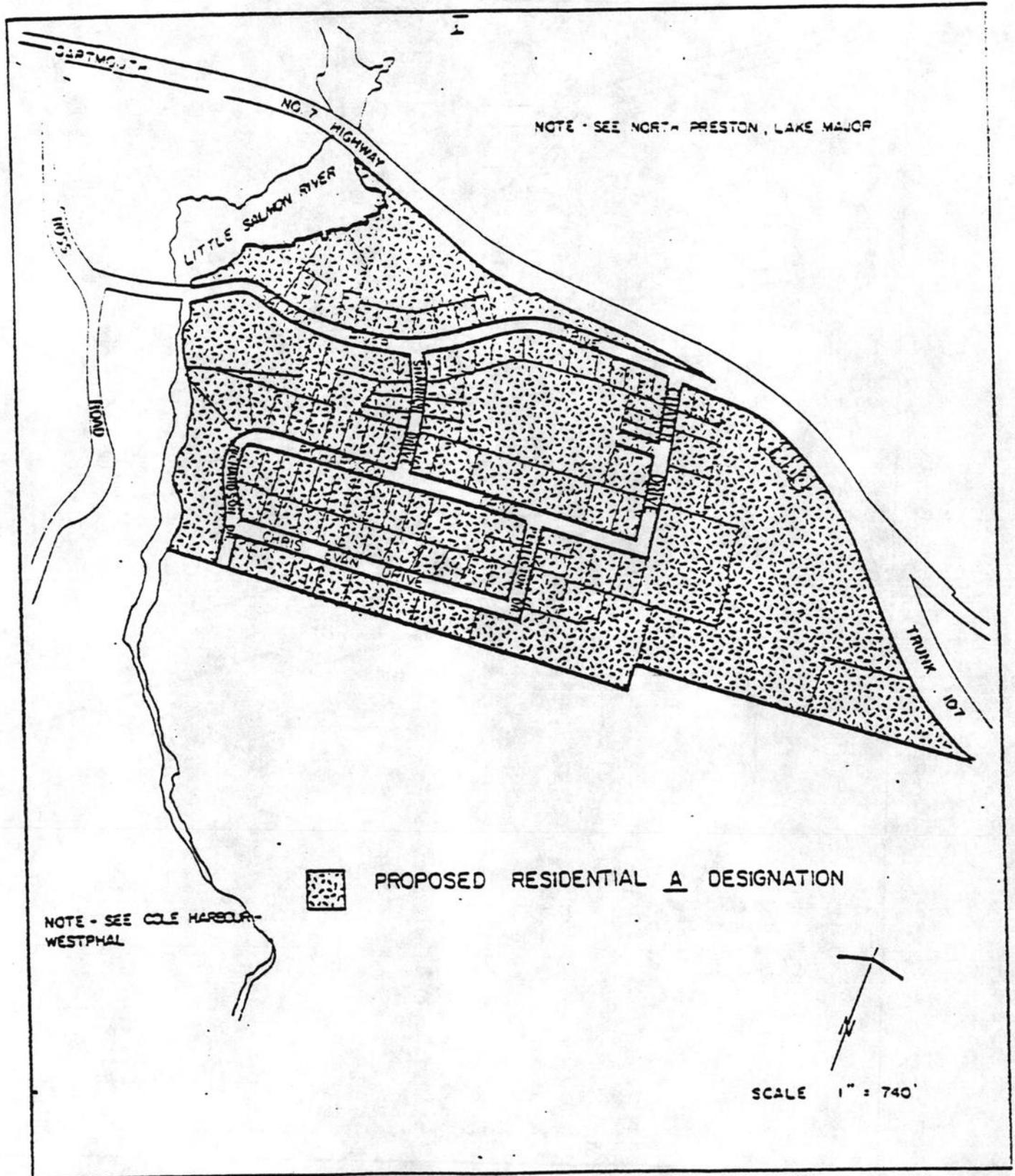
- (a) adding the following as clause (o) to Section 3.6:
- (o) commercial development on lands located at the western corner of the intersection of Salmon River Drive and Highway No. 107 (IRIS No. 40168874);
- (b) and by inserting in Appendix "B" existing industrial uses, immediately following "A. R. Hemmings Limited" the following:
- | | | |
|---|-------------------------------|-----------------------|
| Handy Builders Limited
General Contracting | 154 Salmon River Drive | IRIS #40187361 |
| Harold S. Cooper
Wood Fuel | 134 Richardson Drive | IRIS #40335846 |
| J & D Repair
Auto Repair | 37 Chris Evan Drive | IRIS #40144610 |
- (c) amending Schedule "B" to incorporate the Salmon River Drive/Richardson Drive area and to zone the area as shown by Appendix "B" attached.

THIS IS TO CERTIFY that the by-law of which this a true copy was duly passed by a majority vote of the whole Council at a duly called meeting of the Municipal Council of the Municipality of the County of Halifax held on the [] day of [], A.D., 198[].

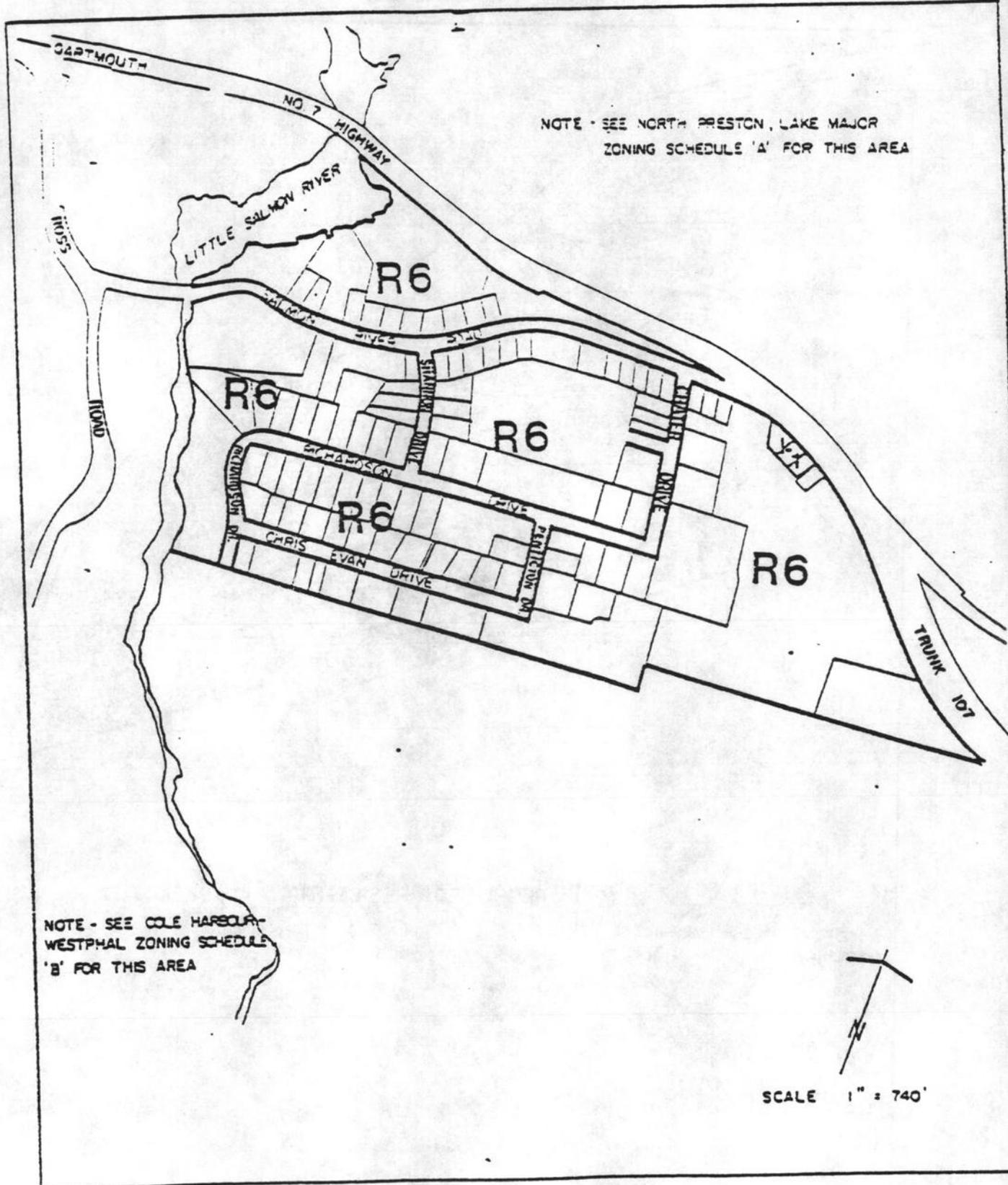
GIVEN under the hand of the Municipal Clerk under the corporate seal of the said Municipality this day of
A.D. 198[].

GERARD J. KELLY,
Municipal Clerk

Appendix A - PROPOSED GENERALIZED FUTURE LAND USE



Appendix B - PROPOSED ZONING



NOTE - SEE NORTH PRESTON, LAKE MAJOR ZONING SCHEDULE 'A' FOR THIS AREA

NOTE - SEE COLE HARBOUR - WESTPHAL ZONING SCHEDULE 'B' FOR THIS AREA



SCALE 1" = 740'

46 Chris Evan Drive
Richardson Subdivision
Dartmouth, Nova Scotia
October 14, 1987

RECEIVED
OCT 21 1987

Ms. Valerie Spencer
Municipal Administration Building
2750 Dutch Village Road
Halifax, Nova Scotia

Subject: Amendment to the Cole Harbour/Westphal MPS
Application No. PA-CH/W-03-87

Planning and Development

Gentlemen:

I take exception to the proposed zoning designation R-6 for the Richardson Drive/Salmon River Drive area being considered as an amendment to the Cole Harbour/Westphal Municipal planning strategy.

This zoning would permit two unit residential dwellings and it is this, and only this, that I'm opposed to. As you are aware, the area in question is made up of single residential dwellings. For the most part, these homes are well cared for and situated on large, private lots; definitely falling into the category of an R-1 zoning.

To permit the construction of two unit residential dwellings would be detrimental to the area. I believe most people moved to this area because of its quiet rural setting and lack of multi-unit housing.

It is my understanding that already, a two unit residential dwelling is being considered in the area, for rental purposes.

I realize a R-1 zoning could be upsetting to those people with existing businesses and I sympathize with their concerns. Perhaps an amendment to the R-1 zoning permitting existing businesses to continue to operate as detailed under the R-6 zoning regulations.

At the public meeting on September 14, 1987, Mr. Cooper, Public Service Commission recommended R-1 zoning for the area. When we asked for residential zoning, R-1 is what we anticipated.

I am deeply concerned and hope my concerns do not fall on deaf ears.

Yours truly,



Brian J. Grayson
(Lot 46) Chris Evan Drive
RR #1, Dartmouth

cc: Mr. R. Cooper, Public Service Commission
W. Adams, Councillor
Mr. DeRoche, Councillor
Mr. G. Kelly
Mr. B. Butler

BJG/kpb
Enclosure