

Mr. Zwicker said they are certainly within the intent of what they thought the study was going to do.

Mayor Lichter said he realizes that it may have taken a long period of time but if council is not able to reach a decision tonight it may take weeks and months. He referenced the first sentence of the second paragraph of Appendix C. He said it states "further it is the intent that the developer shall design and install a storm drainage system for the CDD which will result in no increase in the existing levels of peak storm runoff unless otherwise approved by the engineer etc.". He said the third paragraph has the words "appreciable increase in peak storm runoff". He said if they are leaving the term appreciable and its meaning to the county engineer who may be tough enough to mean that any increase is appreciable then consequently it means the same thing that is in the first paragraph. No increase. He said is it really that important to have that word there. He said that the peak storm runoff right now can be quite high and nobody wants to increase that by any amount. He said there is not a great contradiction in taking out the word appreciable where it appears and the second paragraph where it doesn't appear.

He said Mr. Merricks second point was that the storm runoff should be 1:100 year flood.

Mr. Zwicker said he agreed with this.

Mayor Lichter said item number three was simply that the terms of reference and the entire agreement should be supplied to all adjacent land owners.

Mr. Zwicker said he has no difficulty with this.

Mayor Lichter said item number four was that there should be no water runoff that results from development occurring.

Mr. Zwicker said he wrote that no construction activity should occur on the site until after the report has been completed and accepted.

Mayor Lichter said that Mr. Merrick has said this was their first stand and then they modified it in order to be reasonable.

Mayor Lichter said item number five was that the measuring of the water flow should be from the present phases 1 and 2 as well as the additional phases as they will come on stream. He said then it would be a matter of two interconnected bogs or two separate bogs.

Mr. Zwicker said it has always been the intent that both the CDD flows in phase 1 and 2 would be analyzed as part of that report.

Mr. Steve Wallace, Wallace MacDonald Lively, said that Mr. Zwicker was not present at the meetings with Mr. Sheppard. He said, with respect to the word appreciable, there is one point he would like council to be aware of and that is that the word was put in there to provide some degree of flexibility and discretion to the county engineer in examining this thing. He said it could be that the calculations will show that prior to development the peak flow might be 100 cubic feet per second as it discharges onto the neighbouring properties and after the development and a certain design they are able to show that it is 100.5 cubic feet per second. There would be a very small change in the numbers and in order for the developer to take care of that last .5 CFS so that they match after development the same as before, it may be necessary to construct some feature such as a detention pond or other feature which would have some initial capital cost but, as well, would place a burden and an obligation on the municipality for maintenance and ongoing care to take care of the 0.5 CFS. In the event of that possibility the county engineer would have the discretion that if that, in his opinion, that .5 CFS did not have any detrimental effects on the downstream property, that he would have the discretion to let that go and thereby remove any obligation for the municipality in an ongoing fashion. He said that may come to pass and may cause things to be such that that discretion could prove advantageous from the municipality's perspective. He said at this point it is premature to speculate as to all possibilities. He said that was one thing that was discussed and if it did come to pass, it would be to the benefit of the municipality for its engineer to have some degree of discretion in dealing with this.

Mayor Lichter asked Mr. Sheppard to confirm if that was one of the reasons why the term appreciable had been introduced in the text.

Mr. Sheppard confirmed that it was. He said that was the main reason why the county saw some advantage in having the word appreciable in that particular paragraph.

DECISION OF COUNCIL

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

"THAT COUNCIL APPROVE APPLICATION NO. CDD-EP/CB-01-88-06 - DEVELOPMENT AGREEMENT PURSUANT TO A CDD FOR A PARCEL OF LAND LOCATED TO THE EAST OF CALDWELL ROAD AND TO THE SOUTH OF THE COW BAY ROAD IN ORDER TO ALLOW FOR DEVELOPMENT OF THESE LANDS BY ANAHID INVESTMENTS BY DEVELOPMENT AGREEMENT"

Councillor Deveaux said he would like to state that he appreciates the concerns of the members of his community who were opposed to the project. He said he can appreciate the fact that

they have the right to express those concerns at public hearings. He said the project that will be approved is one that will ultimately lead and be beneficial, not only to the community, but to Halifax County as a whole. He said if the cutbacks from Shearwater turn out to be as bad as some people think they are then it will be the developer who suffers. He said in his opinion this is a good development.

Councillor Brill asked what was the end result of the engineering department being called in to look at the problem with the french drain.

Mr. Sheppard he said they were at the site on two different occasions, one time to look at the french drain or pipe that had been constructed that discharged water onto Canfax lands. He said they had informed Canfax that the county had no involvement in that pipe and had no ability to control or ensure its removal. He said he had visited the site with representatives of Canfax and had looked at the two properties involved in the common boundary and the wetland areas that was the subject of this special hearing tonight. He said his view is that by virtue of the terms of reference in the agreement the county has the ability to deal with the Heritage Hills project as it relates to Canfax.

Councillor Brill asked if it was necessary, given the Appendix C being written the way it is, to include these six points that were raised by Mr. Merrick.

Mayor Lichter said that the word appreciable was introduced at the request of staff. It was not a phrase that was requested by the developer. He said what Mr. Sheppard had said previously answers the questions.

Mr. Sheppard said Appendix C is a three page document and, as with any agreement, is subject to interpretation or misinterpretation. He said the points raised by Mr. Merrick were valid points and if the developer is agreeing to honour those and consider them then they can only add to the security from Appendix C.

Mayor Lichter confirmed that he was referring to the last five items out of six.

Mr. Sheppard said this was correct. He said he would still suggest, from the county's point of view, that there is a benefit to having the word appreciable in Appendix C.

Councillor Ball asked the mover if he would be in agreement to incorporate those last five items suggested by Mr. Merrick. He said both Mr. Sheppard and the developer do not have any difficulty with it. He said it might be appropriate that they be

incorporated.

Councillor Deveaux said in his opinion the comments made by Mr. Sheppard covered those five issues. He said the Appendix covered it to provide the protection necessary as was requested.

Mayor Lichter said his understanding what Mr. Sheppard had said was item number one he would appreciate if the term could be kept. Item number two to six he indicated there was no difficulty to incorporate those if that would give more comfort to the adjacent landowners.

Mr. Sheppard said he feels it would make the agreement more clear and make the requirements of the developer more clear if the two to six were required to be included as part of the agreement.

Councillor Deveaux asked if this would cause any problems.

Mr. Sheppard said not that he can think of.

The mover and seconder agreed that the items be incorporated.

Councillor Cooper said it is his understanding that there will be no building on any of the lots within that CDD until the storm drainage report has been received and approved by the county engineer involved in this particular agreement.

Mayor Lichter said that this was not his understanding.

Councillor Cooper asked if there can be any development before final subdivision approval is given.

Mr. Donovan said the agreement states that the report has to be approved by the engineer prior to final subdivision approval so there is no development permitted prior to approval of that storm drainage report.

Mayor Lichter said there will be no buildings built because you cannot do this without final subdivision approval.

Mr. Crooks said unless the language can be worked out at this meeting the entire agreement has to be approved by council.

Mayor Lichter asked if there would be sufficient time to work out the wording in time for the council session scheduled for the following night.

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

"THAT DECISION BE DEFERRED UNTIL MARCH 1, 1994 COUNCIL SESSION"

PUBLIC HEARING

22

FEBRUARY 28, 1994

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Ball:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

MINUTES & REPORTS
OF THE
THIRD YEAR MEETINGS
OF THE
FORTY-FOURTH COUNCIL
OF
HALIFAX COUNTY MUNICIPALITY
MARCH COUNCIL SESSION
TUESDAY, MARCH 1 & 15, 1994
&
PUBLIC HEARINGS
MARCH 7 & 14 & 28, 1994
&
COMMITTEE OF THE WHOLE
MARCH 2 & 7 & 21, 1994
&
APRIL 11 & 14, 1994

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COUNCIL SESSION

March 1, 1994

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Ball
Councillor Deveaux
Deputy Mayor Bates
Councillor Hendsbee
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Peters
Councillor Merrigan
Councillor Brill
Councillor Snow
Councillor Barnet
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Councillor Turner
Councillor McInroy
Councillor Cooper

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

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

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF THE JANUARY 18, 1994 COUNCIL
SESSION BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE FEBRUARY 1, 1994 COUNCIL SESSION BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE NOVEMBER 22, 1993 PUBLIC HEARING BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE DECEMBER 13, 1993 PUBLIC HEARING BE APPROVED"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from the Atlantic Winter Fair with regards to water and sewer services being requested under the infrastructure program. They are requesting councils concurrence with the procedure of the 1/3 funding.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

It was moved by Hendsbee, seconded by Councillor Ball:

"THAT COUNCIL CONCUR WITH THE PROCEDURE OF THE 1/3 FUNDING"

MOTION CARRIED

2. Mr. Reinhardt outlined a letter from the Halifax County-Bedford District School Board declaring the Allan W. Evans School building surplus to the use of the Board.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Reinhardt outlined a resolution from the Town of Port Hawkesbury outlining opposition to a proposal by the province to place mentally challenged persons in a small options environment as opposed to a group home situation.

It was moved Councillor Barnet, seconded by Councillor Sutherland:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

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

"THAT THE LETTER AND RESOLUTION BE REFERRED TO THE SOCIAL SERVICES DEPARTMENT"

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from the Metro Food Bank requesting that council declare the week of March 28, 1994 as Hunger Awareness Week throughout metro.

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

"THAT THE LETTER BE RECEIVED AND THE WEEK OF MARCH 28, 1994 BE DECLARED AS HUNGER AWARENESS WEEK"

MOTION CARRIED

5. Mr. Reinhardt outlined a memorandum from the dept. of Parks and Recreation with regards to Canada Day celebrations.

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

"THAT THE MEMORANDUM BE RECEIVED"

MOTION CARRIED

Mayor Lichter said he had previously indicated that it would be appreciated if individual councillors would encourage their community to carry on with proper celebrations.

6. Mr. Reinhardt outlined a letter from the Port Commission, Port of Halifax outlining their position in imposing cost

recovery measures for the use of services such as ice breaking, dredging, etc.

It was moved by Councillor Ball, seconded by Councillor Barnet:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

7. Mr. Reinhardt outlined a letter from Marni Gent and Haines, Lalley and Dalziel with regards to the dog by-law.

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

"THAT THE LETTER FROM HAINES, LALLEY AND DALZIEL BE RECEIVED"

MOTION CARRIED

It was moved by Councillor Ball, seconded by Councillor Barnet"

"THAT THE LETTER FROM MARNI GENT BE RECEIVED"

MOTION CARRIED

8. Mr. Reinhardt outlined a letter from Leona Russell, Mr. Bill Mont and Angela Miller in relation to concerns with regards to the dog by-law.

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

"THAT THE LETTERS BE RECEIVED"

MOTION CARRIED

9. Mr. Reinhardt outlined a letter from Mr. George Armoyan requesting an opportunity to speak to council with regards to Kingswood on the Lake and Kingswood West subdivision.

It was moved by Councillor Ball, seconded by Councillor Boutilier:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Lichter suggested that council decide on this request when the item is dealt with on the agenda.

10. Mr. Reinhardt outlined a copy of a letter to the minister of

municipal affairs from the armoyan group concerning councils consideration of approving a draft municipal strategy and land use by-law for Sackville.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

11. Mr. Reinhardt outlined a letter from Marni Gent with respect to the dog by-law.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

1. Mr. Reinhardt outlined a letter from the Canadian Wildlife Federation asking council to participate in National Wildlife Week which takes place April 10 to the 16.

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

"THAT COUNCIL RECEIVE THE LETTER AND DECLARE THE WEEK OF APRIL 10 TO 16 AS NATIONAL WILDLIFE WEEK"

MOTION CARRIED

Mayor Lichter said he has sent letters to the school board as well as the library board to urge them to participate in this endeavour.

2. Mr. Reinhardt outlined a letter from the minister of health in response to councils concern regarding expansion of the homemakers service.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from the minister, Department of Community Services concerning the discussion paper on service exchange and requesting cooperation of all municipalities in providing information.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from the minister responsible for Canada Mortgage and Housing in response to councils concerns over federal funding for social housing programs and the residential rehabilitation assistance program.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Rankin said there is an issue that arises out of this RRAP program. He said he attended a meeting with CMHC which is a member of the affordable housing group and as well, some of his colleagues attended a meeting with the minister of housing.

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

"WHEREAS senior government officials have given notice that the Department of Housing is presently considering administering the delivery of the Residential Rehabilitation Assistance Program (RRAP); and thereby unilaterally removing from the management of the municipal government units and non profit groups across this province;

BE IT THEREFORE RESOLVED that council urge the minister to not permit this change which primarily aimed at saving department of housing jobs at the expense of cutting existing community jobs and ending what has been to the benefit of the tax payer over the past fifteen years demonstratively cost efficient network of community based delivery groups"

Councillor Deveaux asked if it is his understanding that the money has been allocated and is going to be similar to the RRAP program only it is going to be administered by fewer people.

Councillor Rankin said the province has a joint agreement with the federal government that they will administer this program and the province will determine who will be the delivery groups. He said this will be at the expense of community groups including municipal units.

Councillor Hendsbee said he feels the province should be administering the housing programs and he does not see anything wrong with this. He said if the department of housing wished to delegate that to the other community groups so be it. He said he is not in support of this motion.

MOTION CARRIED

5. Mr. Reinhardt outlined a letter from the honourable Jim Barkhouse, Minister of Fisheries, with regards to the federal infrastructure program.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

6. Mr. Reinhardt outlined a letter from John Holm, MLA, Sackville Cobequid, in response to the federal infrastructure program.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

7. Mr. Reinhardt outlined a letter from Bill MacDonald, MLA with respect to the federal infrastructure program.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

8. Mr. Reinhardt outlined a letter from Francene Cosman, MLA with respect to the infrastructure program.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

9. Mr. Reinhardt outlined a letter from Geoff Regan, MP, with respect to the infrastructure program.

It was moved by Councillor Peters, seconded by Councillor

McInroy:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

10. Mr. Reinhardt outlined a letter from Alex Skoke, Executive Assistant to Roseanne M. Skoke, MP, with regards to the infrastructure program.

It was moved by Councillor Barnet, seconded by Councillor Bayers:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

11. Mr. Reinhardt outlined a letter from Brooke Taylor, MLA, with respect to the infrastructure program.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

12. Mr. Reinhardt outlined a letter from Peter Kelly, Mayor, Town of Bedford with respect to the infrastructure program.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

13. Mr. Reinhardt outlined a proclamation with respect to the national day for the elimination of racial discrimination being March 21, 1994.

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

'THAT THE LETTER BE RECEIVED AND MARCH 21, 1994
PROCLAIMED AS NATIONAL DAY FOR THE ELIMINATION OF
RACIAL DISCRIMINATION"

MOTION CARRIED

Mayor Lichter referenced the letter from the School Board with respect to the Allen W. Evan School, North Preston, District 8, being conveyed to the municipality effective November 16, 1993. He said council has not formally passed a motion to accept the school building. He said in fact council should not do this.

He referenced a memo from Mr. Brine dated March 1, 1994.

Mr. Meech said as noted in the information report it has come to the attention of the municipality that there is a number of expenditures that would be required on this particular school. He said one, which may be approximately \$20,000., is to replace the oil tank that presently served the facility. He said what is being suggested at this point is maybe that council table the request and refer it to staff with a view to seeing if the county can negotiate an arrangement with the school board whereby they would pick up some of these costs before the facility is turned over to the municipality. He said what is being suggested is that at this point not accept possession along with ownership of the property until some of those issues are resolved.

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

"THAT THIS BE REFERRED TO STAFF"

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Amendments with respect to the establishment of Water Service Districts

Mayor Lichter said the earlier request received by Mr. Armoian relates to this particular item; however, council should be aware of the fact that if a public hearing is going to be scheduled giving a speaker, from the Armoian, the opportunity to speak tonight may be perceived, by some member of the public, as giving them a pre public hearing hearing.

Councillor Ball said a public participation session was held on the water service districts which entitled everybody throughout Halifax County, that was affected by those various water service district amendments, the opportunity to come in and express their concerns. He said those concerns were taken to the planning advisory committee and was dealt with at the that level. He said the concern he would have is that the county could be in the situation of having the semblance of a public hearing held when it has not technically advertised a public hearing or provided the opportunity to other people in the area. He said for councils decision tonight what has to be resolved, for the recommendation of the public hearing, is the last two sections of the staff report. He said he does not think holding the semblance of a public hearing is going to be beneficial in this particular matter. He said he does believe council has to make a decision on those two items as to whether or not it was within the intent of the water service district. He said he would like to point out that in the staff report the date should read May 31, 1993 and also the staff report states "prior to the April 1

staff report". He said there was a staff report of April 1 and 15 with regards to this issue. He said it should read "April staff reports". He said he would recommend a public hearing of March 28, 1994 but in the overall principal council has to look at those two issues.

Mayor Lichter said even before council looks at those two issues, council has an obligation to deal with the letter received from Mr. Armoyan.

Councillor Ball said the point he is trying to make is that a public participation session was held and there was debate at the planning advisory committee about the issue. He said he believes all the information will come out at the public hearing.

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

"THAT COUNCIL NOT HEAR REPRESENTATION FROM MR. ARMOYAN
AT THIS TIME"

MOTION CARRIED

Mayor Lichter said the PAC report does include a recommendation for a public hearing date. He said he would like to bring councils attention to a memo dated March 1, 1994 from the Department of Planning and Development and the Department of Engineering and Works, with the concurrence of Mr. Meech, concerning this item.

It was moved by Councillor Ball,

"THAT THE PUBLIC HEARING BE ADVERTISED AS PRESENTED IN
THE STAFF REPORT OF WATER SERVICE DISTRICTS OF 15, 18,
19; PLANNING DISTRICT 5, 14, AND 17; AND SACKVILLE"

Motion lost - no seconder.

Councillor Ball said his rationale as he read the memo in relation to the other two points is that if council is being consistent with the proposed April moratorium scenario for applications for extension of water service, it has to be consistent with everybody. He said it might be in the best interest in that consistency to proceed in that direction.

Mayor Lichter confirmed that Councillor Ball meant that his recommendation for the public hearing is the first paragraph as contained in the report and the given date of March 28, 1994 at 6:00 p.m. but it does not include the motion that is mentioned in the last paragraph.

Councillor Ball said in the paragraph it is the recommendation, with regards to the extension to Maplewood and Cedarwood Subdivision area, if council was in concurrence with the staff

memo, that has been provided, then technically speaking Maplewood and Cedarwood Subdivision would not fit into the scheme. If that area is included then the bottom paragraph, or the section dealing with the Armoyan Group, realistically would have to be included as well based on the fact that the county is contravening its policy or the moratorium suggestion.

Mayor Lichter said it has to be a specific motion to make sure everyone understands what they are voting on.

Councillor Ball said he would like to see clarified by council the memorandum. He said if that memorandum is there and council supports that recommendation then he would be prepared to make that original motion he made. He said if council is endorsing that memo then his motion would be in order but if council does not endorse that memo then the motion is not.

Mayor Lichter said council could put a motion indicating that it supports the recommendation that came in memo.

Councillor Rankin asked if the proposed motion by councillor Ball permit consideration of the Kingswood issue at the public hearing.

Mayor Lichter said it would not. He said the night of the public hearing council could narrow the water servicing area but you could not do the opposite.

Mr. Crooks said it may be possible, i.e. to narrow the scope of the application but that is something that would have to be examined in terms of its overall impact on the changes. He said he would want to consult with planning staff before arriving at a conclusion that that would not be a substantive change to what was advertised in the notice.

Councillor Ball said council is trying to set a policy on water service districts. If a policy is being set then this scenario contradicts the policy initiative that was taken. He said when this was recommended on April 15th the staff report said "that no further extensions of central water services be on designated service boundaries be permitted until such time as council has adopted appropriate policies and regulations. Until such time as council has established a policy in this regard it is the intention of staff not to permit the further extension of central water system outside of designated serviceable areas". If the water had already been extended or was approved to be extended that becomes part of the serviceable area and, at that point, council itself and the various committees during the various stages endorse the fact that there would not have be any more establishment or extension of water services until a policy is set. He said that is what council said. He said if council said this then either proceed in that direction or forget about the

policy in itself because no criteria is being used. He said the whole purpose of setting up water service districts was to establish criteria, assess need, look at capacity of what can be handled. The policy, as is being proposed, does not prevent an extension to the serviceable district. He said it is his understanding that if a pipe stops within a thousand feet of a serviceable boundary it can be extended there. Council can, at any time, amend that water service district if it is felt there is a need and a justification there. He said what is being said is "here are the districts, here is why we established them, and if from time to time there is a need to reassess and look at an amendment then that can be done". He said a guide was set and the county said if you did not apply by that date then no more applications for extension would not be entertained until the policy was dealt with.

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

"THAT COUNCIL ENDORSE THE MEMORANDUM THAT WAS SENT OUT ON MARCH 1, 1994 FROM PLANNING AND ENGINEERING DEPARTMENTS WITH THE CONCURRENCE OF MR. MEECH"

Councillor Rankin asked if council should be considering all proposals for the purposes of the public hearing.

Mayor Lichter said it is the opinion of the solicitor is that if the wider application is advertised and council wanted to drop back and narrow it then it would have to be readvertised and technically start over.

Mr. Crooks said what would be necessary to do at that point is simply to advertise the proposed change to give people an opportunity to make representations not on the whole thing again but on that one specific proposal for change.

Mr. Meech said it is his opinion and his interpretation that the whole rationale for having this policy was to put in place a process so that in effect from this day on there was some fine tuning of the boundaries. He said the whole idea of the policy is that you have to go through a process to expand those water service districts before the council prepared to consider and, if deemed appropriate, approve. He said what was at issue was that the county was lacking a policy as to how it was going to manage the expansion of the water utility. He said the policy speaks to the fact that to go beyond the proposed boundaries you have to go through the exercise of developing appropriate information base relative to engineering, planning and financial and in the end convince the municipality and the council that it makes good sense to expand or designate new water service districts. He said even if the other areas that have been mentioned in the report are not included there is nothing to preclude them from being incorporated as part of the water service district in the

future after the county has had the benefit to go through and do a proper analysis of the information that is submitted.

Mr. Meech said council made a decision in September of 1993 to adopt a policy and in that policy it indicated that council was going to establish certain water service districts. He said now council is trying to implement that in a formal way.

Councillor Merrigan said if council hears from the Armoyn Group at the public hearing it is being said tonight that it can't be adopted because the advertisement would not allow council to adopt it.

Mr. Meech said that was the purpose of the public hearings. He said that was to allow for the general public, developers to make a presentation. As a result that was the decision taken by council to adopt a policy. He said the reason for going back through the process was to formally include it in the municipal planning strategies.

Mayor Lichter said there may be a number of individuals or developers who will come in to the public hearing and will speak in favour of including other areas that don't happen to be advertised which may result in council saying yes it makes sense or no it does not make sense. If council says it makes sense then council will have an obligation to advertise the intended change that it wants to make and on that point, on the change it wants to make, hold a public hearing. He said what would have happened tonight would be that one developer would have had that public hearing which any and all developers can have and will have on March 28th.

Councillor Deveaux said it is his understanding that if this motion is approved regarding this memorandum then, when the public hearing is held, it does not prevent people like Mr. Armoyn or any other developer to come that evening and plead their case.

Mayor Lichter said no public hearing ever prevents anyone from coming and putting their case forth.

MOTION CARRIED

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

"THAT HALIFAX COUNTY ADVERTISE FOR A PUBLIC HEARING WITH REGARDS TO AMENDMENTS TO PLANNING DISTRICTS 15, 18 19; PLANNING DISTRICT 5; PLANNING DISTRICTS 14 AND 17; AND SACKVILLE FOR MARCH 28, 1994 FOR MARCH 28, 1994 AT 6:00 P.M."

MOTION CARRIED

SERVICE STANDARDS COMMITTEE REPORT

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

"THAT THE REPORT "DRAINAGE COMPLAINTS HALIFAX COUNTY" AND "STORM DRAINAGE TASK FORCE" BE RECEIVED FOR INFORMATION OF COUNCIL AS PER THE SERVICE STANDARDS COMMITTEE RECOMMENDATION"

MOTION CARRIED

APPOINTMENT OF BY-LAW ENFORCEMENT OFFICER SPC

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

"THAT PATTI LEE STROPLE BE REGISTERED AS BY-LAW ENFORCEMENT OFFICER THROUGH THE NOVA SCOTIA POLICE COMMISSION"

MOTION CARRIED

STATUS REPORT: NORTH PRESTON WATER SUPPLY

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

"THAT THE REPORT BE RECEIVED"

MOTION CARRIED

STATUS REPORT: HALIFAX HARBOUR CLEAN-UP

It was moved by Councillor Cooper, seconded by Councillor Barnet:

"THAT THE REPORT BE RECEIVED"

Councillor Cooper said he has some concerns as to where the harbour clean-up is heading. He asked if Mr. Meech could inform council as to what is happening with harbour clean-up at the present time. He asked if privatization would ultimately lead to future commitments on the part of the municipality. He asked what the status is of the present financial picture with that incorporation.

Mr. Meech said it is his understanding that at this point in time the intended coverage area that was intended to be served by the treatment plant for Halifax harbour had not changed. He said the only thing that would be changing is that there wouldn't be any pre determined site or type of waste water process. He said that would be left to the private sector proponents to include in

their submission. In terms of expenditures, there has been approximately sixteen million dollars expended to date on that particular project between studies, engineering and environmental hearing etc.

Councillor Cooper said if the privatization method is used what is to say that the work already done and the coverage areas will remain the same. There has been some discussion on possibly hooking up other areas of the municipality and how are those projections or possibilities going to be protected by the board.

Mr. Meech said at this point the decision of this municipality is that it is not going to tie in the mill cove waste water plant to the proposed harbour clean-up. He said they are in the process to define some terms of reference to hire a company or consultant to assist the board in defining what is meant by privatization and what type of approach would be used in terms of getting those proposals from the private sector. He said this is the only way to determine whether there is a more cost effective solution.

Councillor Cooper asked if this could also result in a decrease of the projected effects of this whole project. He said with the closeness of the project to certain areas of the municipality could result in some areas not having access to the project in the future.

Mr. Meech asked if this was with reference to the Eastern Passage Waste Water Plant. Councillor Cooper confirmed this. Mr. Meech said that has been known and considered for some time that that was a potential eventuality that the Eastern Passage plant would be at some point tied. He said if the county wanted to include the Eastern Passage coverage area it would have to be indicated so that it would be taken into consideration when they define the project for the benefit of the proposal call from the private sector.

Councillor Cooper asked if the board return to the affected municipalities with any projected plan for privatization.

Mr. Meech said he would assume that the board will keep the member municipalities informed as to the progress. He said at some point there will be a request for proposals and after those are received and examined. Depending on the implications they are going to have to meet the regulatory requirements with regard to the environment and health.

Councillor Cooper said if the board is making decisions then he has some difficulty in that it should be an arms length procedure. He said a lot of the development plans of the municipalities may be affected by these decisions taken. He said if the main objective is to go for privatization and get it into an area where it could possibly be funded it may be detrimental

to this municipality then he has some difficulty with the procedure being followed. He said money may be going in from the municipalities and they may have little say in the process.

MOTION CARRIED

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

"THAT THIS ITEM BE SENT TO THE EXECUTIVE COMMITTEE FOR CONSIDERATION ON ITS IMPACT ON THE MUNICIPALITY"

Councillor Deveaux said he was concerned with the future operational costs. He said the capital costs could be decreased but before any of that is approved he wanted to know if any of the municipalities have a say and any idea of what the costs are going to be and what the operational costs will be down the road. He said he is not opposed to private concerns taking over projects but, down the road, this could end up costing Halifax County a lot more money from the operational side of the plant. He said he would hope that the county and the other municipalities involved would be given some information or have some say before any final decision is made by anyone.

Mr. Meech said it is his understanding that the agreement that presently exists between the federal, provincial and municipal governments will have to be changed and revised because the definition and scope of the project is different in that agreement than what as are now proposing or the manner in which it is proposed to be handled now. He said at some point the agreement is going to have to come back to the municipalities for approval for the changes. He said any decision to proceed on a proposal, which incorporated privatization, will have to come back to the shareholders for their final endorsement.

Mayor Lichter said the minister of labour was in contact with the chief magistrates of the municipalities prior to announcing that they are going to take a look at the possibility of privatization. He said the minister indicated that as soon as a consultant is engaged to look at the possibility of how privatization could be undertaken the municipalities would be involved every step of the way.

MOTION CARRIEDLESSER SETBACK APPLICATION

Council was informed that an application had been received from Mike Cox to permit the location of a detached garage fifteen feet from the road boundary of the East Petpeswick Road. A building permit application accompanied the request. The garage is proposed to be thirty feet by twenty feet. Under the by-law the

property is zoned general. Any accessory building must contain a minimum setback of thirty feet from the road boundary. The application is faced with unique difficulties in accommodating a garage on his property. Slides were shown of the property. The area building inspector and the department of transportation have both reviewed the proposal and they have no objection to its approval. It is recommended that council exercise its discretionary power to approve this application.

QUESTIONS FROM COUNCIL

No questions from council.

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

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

"THAT THE LESSER SETBACK APPLICATION NO. LS-03-94-010
BE APPROVED"

MOTION CARRIED

SECOND AND THIRD READING - A BY-LAW TO AMEND BY-LAW NO. 46 -
HALIFAX COUNTY REGIONAL REHABILITATION CENTRE BY-LAW

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

"THAT THE BY-LAW BE GIVEN SECOND READING"

MOTION CARRIED

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

"THAT THE BY-LAW BE GIVEN THIRD READING"

MOTION CARRIED

SECOND AND THIRD READING - A BY-LAW RESPECTING THE OPERATION OF A
FERRY SERVICE IN HALIFAX HARBOUR AND BEDFORD BASIN

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

"THAT THE BY-LAW BE GIVEN SECOND READING"

MOTION CARRIED

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

"THAT THE BY-LAW BE GIVEN THIRD READING"

MOTION CARRIED

SECOND AND THIRD READING - A BY-LAW RESPECTING DOGS

Steve Cross, City of Halifax, said he has concerns. He said the by-law would suggest that a peace officer or special constable or by-law enforcement officer may impound, impound and kill or kill on site a dog which is running contrary to the by-law. He said he does not believe that animals should be killed arbitrarily. He said he feels the owner of an animal has the right to explain how the animal got away and a time period in which to reclaim the animal. He said the possibility of implementing a 72 hour waiting period should be looked at.

Marni Gent, Waverley, said she is asking council, at this point in time, is to delay final decision on the dog by-law. She said there are a lot of good ideas coming in from other by-law's across the county dealing with dogs running at large and different ways of fineing people. She said last year only forty percent of the dogs impounded were reclaimed by their owners. She said that was with the \$25.00 fine so if the fine gets up to \$100.00 minimum then that number will probably double. She said she would like to see something implemented that there is a heavy fine for not having your dog tags. She said she feels clause 19 is much too drastic and should be omitted. She said other parts of the by-law should be clarified a lot more than they are now. She said there are things from other by-laws across the country that could be added to this by-law. She said at this point in time she is asking council to hold off final decision of this by-law until such time as other information has been looked at.

Cathy Crane said she believes that good dog control is needed. She said she believes in fines and that people should not be allowed to have their dogs running loose all over the county causing disturbances. She said she would recommend that council think carefully before allowing people to just have permission to shoot dogs at large.

Casey Brockbank said she was not in favour of the changes to the by-law. She said dogs have a tendency to get loose on occasion and this is not reason to destroy an animal.

Councillor Mitchell said that the by-law that has been advertised has been in effect for a number of years.

Mr. Crooks said his understanding is that the particular provision which is in question here has been and is in the existing dog by-law. The proposed provision, although there is some change in the language, is equivalent to what is in force now.

Councillor Mitchell asked if dogs have ever been killed by county people.

Mayor Lichter said if the dog control agency is included then yes dogs have been put down.

Ms. Brockbank said this by-law reads in such a way that it is giving the dog control people the ability to shoot dogs.

Marni Gent said the old by-law said that a peace officer may impound any dog found running at large or without a tag. With or without notice or complaint against any dog which is fierce or dangerous may be impounded, impounded and killed or killed. She said the proposed by-law puts all three of those in one. She said who is to prove there is no provocation and also where do you define personal property. She said fierce and dangerous is different from without provocation having attacked personal property. She said personal property could be something such as a bag of garbage. She said according to the way she understands this by-law if her dog is sitting on her property without her tag after being bathed the dog constable has the authority to come along and shoot her.

Freda Judge, Hatchett Lake, said she is a dog owner. She said she feels it is dangerous to put a gun in anyones hands. She said her dogs are kept in a fenced in yard but it would really bother her if one of her dogs should happen to get loose and as a result be shot. She also feels that the proposed fines are excessive.

Mr. R. G. McCarthy, Meaghers Grant, said he is a dog owner. He said his dog has never left his premises even though he has never been tied. He said he is disturbed over this new by-law because if it is approved, as written, it becomes very dangerous. He said this piece of legislation wants to put a firearm in the hands of an individual. He said he feels this should be further considered by council and not approved at this meeting. He said he would ask that that section be deleted and he feels the fines are unreasonable.

Ms. Nancy O'Carroll, Tantallon, said she owns dogs which are well cared for and they don't go out without being on a lead. She said sometimes the dogs may get loose. She said there are people who do not follow the rules and should be penalized somehow but if you kill the dog that type of person will just get another dog. She said she would like to see some way to enforce the

rules which are already there but she does not think the way to improve it is to say that someone can shoot the dog.

Mr. Bill Mont, Eastern Passage, said he is concerned with the proposed by-law. He said when he worked animal control for the county there were not many vicious dogs to be picked up. He said he believes the by-law is an overkill by-law. He said there is a lot of area that could be questionable. He said the by-law gives the indication that if someone picks up a stray he is then the owner and subject to the by-law. He said the by-law makes reference to barking and he said where do you draw the line. He said he feels the county should be looking at the pounds and he feels people don't want a situation where you are killing approximately 100 dogs off every week when there is no need. He said he feels the fines should be looked at. He said he feels the by-law should be looked at more closely and the county should receive more input from organizations.

Mr. Mike White representing the Central Nova Beagle Club spoke to council. He said they are concerned with the destruction of animals at any time and for staff to suggest the wording changes meant nothing causes him concern because if the wording changes in the proposed draft does not change the intent then why change the wording. The wording was changed, in his view, to give the by-law officers the right to go out and destroy, on sight, any dog that that by-law officer sees fit. He said they stand opposed to the destruction of any animal.

Mr. Daryl Dixon said as a dog owner he has invested quite an amount of money in his dog. He said his home was robbed and found the only bit of safety he could afford was a dog. He said he and his wife would be upset if somebody shot him. He said that it should be understood that a dog is an animal that does whatever its owner or instructors allow it to do.

Mr. Edward Kirby, Sackville, said he is opposed to the killing of these animals in the way the proposed legislation has laid it out and he feels it is necessary to change it.

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

"THAT THE BY-LAW BE REFERRED BACK TO STAFF"

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Rezoning application by Laurie Baker - amendments to the revisions and requirements of the Land Use By-law for planning districts 14 and 17

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

"THAT PUBLIC HEARING DATE BE SET FOR MARCH 28, 1994 AT 6:00 P.M. FOR THE ZONE AMENDMENTS IN ADDITION TO THE AMENDMENTS TO THE PROVISION OF THE LAND USE BY-LAW FOR AGRICULTURAL USES TO ALLOW FOR THE EXPANSION OF EXISTING AGRICULTURAL USES SUBJECT TO THE R6 ZONE"

MOTION CARRIED

Application by Nebil Tulaney to rezone lands at the intersection of the Minesville Road and Highway #7 in Lake Echo

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

"THAT THE REZONING APPLICATION BE APPROVED AND A PUBLIC HEARING BE SCHEDULED FOR MARCH 28, 1994 AT 6:00 P.M."

MOTION CARRIED

Application to rezone the lands of Leo Myles at 354 Prospect Bay Road in Prospect Bay

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

"THAT THE REZONING APPLICATION BE APPROVED AND PUBLIC HEARING BE SCHEDULED FOR MARCH 28, 1994 AT 6:00 P.M."

MOTION CARRIED

MUNICIPAL PLANNING ADVISORY COMMITTEE MEMBERSHIP

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

"THAT COUNCIL ADVERTISE FOR APPLICANTS FOR A TWO YEAR TERM"

MOTION CARRIED

ADOPTION OF REVISED MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR SACKVILLE

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

"THAT THIS BE DEFERRED TO THE FIRST SESSION IN APRIL"

MOTION CARRIED

CDD AGREEMENT - HERITAGE HILLS

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

"THAT THE CDD AGREEMENT - HERITAGE HILLS BE APPROVED
SUBJECT TO APPENDIX "C" BEING ADDED"

MOTION CARRIED UNANIMOUSLY

EXECUTIVE COMMITTEE REPORT

Sale of Surplus School Land Head of Chezzetcook

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

"THAT COUNCIL APPROVE A QUIT CLAIM DEED FOR THE FORMER
HEAD OF CHEZZETCOOK SCHOOL PROPERTY TO THE PARISH OF
SEAFORTH"

MOTION CARRIED

Hammonds Plains Elementary School

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

"THAT COUNCIL APPROVE THE VESTING OF THE PROPERTY IN
THE NAME OF HER MAJESTY THE QUEEN"

MOTION CARRIED

Tender - Pumper Tanker, Eastern Passage Fire Department

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

"THAT COUNCIL APPROVE THE BID SUBMITTED BY THE FORT
GARRY INDUSTRIES LTD., IN THE AMOUNT OF \$229,014.00
WITH OPTIONS OF APPROXIMATELY \$13,000.00 AS THE LOWEST
BID MEETING ALL THE DEPARTMENTS REQUIREMENTS"

MOTION CARRIED

North Preston Recreation Centre Proposal

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

"THAT COUNCIL APPROVE A LOAN UP TO A MAXIMUM OF
\$5,000.00 TO THE NORTH PRESTON RECREATION ASSOCIATION
CONDITIONAL UPON AN AREA RATE BEING SET TO RECOVER THE
FUNDS IF THE NORTH PRESTON RECREATION ASSOCIATION ARE
UNABLE TO RAISE SUFFICIENT FUNDS TO REPAY THE LOAN"

MOTION CARRIED

Withdrawal from Special Reserve Fund

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

"THAT COUNCIL APPROVE THE WITHDRAWAL OF \$27,894 FROM THE SPECIAL RESERVE FUND RE: WSR93/94-06 - BUILDING (PROSPECT ROAD COMMUNITY FACILITY)"

MOTION CARRIED

MEMORANDUM RE: SERVICE STANDARDS COMMITTEE RECOMMENDATION

Mr. Meech said this memorandum is in response to a recommendation that had come before council from Service Standards at the last session. He said he wanted to point out that maybe the decision related to the issuance of a multi year contract for outsourcing or purchase of services or goods should be separated from the issue of finance. He said it was his understanding that it was Councillor Merrigan who had reacted to the issue because he had some concern about the plowing contract for the Beaverbank sidewalk program. He said he really does not see anything to be achieved by adopting that recommendation because it may be broader than it necessarily has to be. He said his suggestion is that the issue be referred back to the Service Standards Committee for further discussion.

Councillor Sutherland said there were a lot of unanswered questions. He said Councillor Merrigan was looking at alternatives to contracting out the service to individuals. He said there were questions with regards to people from outside an area doing work in that area.

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

"THAT THIS BE REFERRED BACK TO THE SERVICE STANDARDS COMMITTEE WHEN THE REPORT ON SNOWPLOWING/SALTING /SANDING IS DISCUSSED"

MOTION CARRIED

DATE - MINOR VARIANCE APPEAL

It was moved by Councillor Barnet, seconded by Councillor Bayers:

"THAT MARCH 15, 1994 BE RECOMMENDED AS THE DATE FOR MINOR VARIANCE APPEAL"

MOTION CARRIED

METRO AUTHORITY MEETINGS - COUNCILLOR BOUTILIER

Councillor Boutilier said this was as a result of reading press reports in the media that the metro authority members from Halifax County council not attending the meetings. He said one of the things Halifax County took pride in was the fact that it did not get into games. He said the impression was that the county was not attending the meetings for some reason. He said he would not like to see Halifax County get into the type of thing that the City of Halifax has been accused of which is playing games.

CANADA POST - COUNCILLOR BALL

It was moved by Councillor Ball, seconded by Councillor Barnet:

"THAT A LETTER BE WRITTEN TO CANADA POST REQUESTING THE INSTALLATION OF A GREEN GROUP MAILBOX IN THE KETCH HARBOUR AREA"

MOTION CARRIED

URGENT AGENDA ITEMS

Recognition - Councillor Ball

Councillor Ball said there were two young babysitters who babysitting at a house and the power went out and at about four o'clock in the morning the power came back on. He said the stove had been left on and as a result the place was engulfed in smoke. He said these two young babysitters doing the St. John Ambulance program and fire prevention in the school system did the right thing. He said this fact should be recognized by getting the kids out of the house, bringing them to a neighbour and calling the fire department. He said he would like to request that a letter and a certificate of recognition go to Jacqueline Turner and Katherine Dempsey commending them on what he considers to be good sense and deserving a pat on the back that the programs that the county tried to institute such as Lean Not to Burn does work. He said this is a positive thing.

It was moved by Councillor Ball, seconded by Councillor Boutilier:

'THAT A LETTER AND A CERTIFICATE OF RECOGNITION BE SENT TO JACQUELINE TURNER AND KATHERINE DEMPSEY COMMENDING THEM"

Councillor Boutilier said it may be nice if they come to chambers to be presented.

MOTION CARRIED

Councillor Brill said he has been working with the Sackville Seniors Advisory Council with the intent of creating an extended care facility, enriched housing and other housing options for the Western Region of Halifax County. He said they are at a stage whereby he would like to advise council of the progress to date and when it would be possible to give council a presentation. He said he will also be updating the Sackville Community council on this same project.

Mayor Lichter requested that the clerk add this to the agenda of a future Committee of the Whole Session.

ADDITION OF ITEMS TO THE MARCH 15, 1994 COUNCIL SESSION

Update on Senior Housing for District 4 - Councillor Mitchell

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

"THAT MR. ARMOYAN BE ALLOWED TO SPEAK TO COUNCIL WITH RESPECT TO WATER SERVICE DISTRICT AMENDMENTS"

MOTION CARRIED

Mr. Armoyan said a public participation session was advertised and he spoke in front of the joint planning advisory committee of the municipality and Sackville. He said he made a presentation and based on that presentation PAC made a motion to council to include his land to be advertised as part of this application. He said staff denied him the right for this to be advertised. He said he is not saying that it be approved all he is asking is to have the opportunity for it to be advertised so it could be dealt with. He said based on the input from different people a staff report, dated September 7th, recommended that certain policies be adopted. He said that was the report accepted by council on September 21st. He said then it went through the process of plan amendment. He said that is when they had the opportunity to speak on this issue. He said council decided to reverse the decision of PAC based on a staff report. He said he would ask council to allow his project to also be advertised, maybe separately. He said there could be two separate advertisements. He said he would suggest that another ad, which he is willing to pay for, be placed giving him an opportunity to be heard at the meeting on March 28.

Mayor Lichter to do this one motion would have to be rescinded which would be the motion relating to the staff report that came from the Engineering and Works Department, Planning Department and Mr. Meech. He said council has supported this and anything being suggested contradicts that motion.

Mr. Crooks said it would have to be a motion of reconsideration