

APPLICATION NO. RA-TLB-12-84-02Staff Report

Mr. Mike Hanusiak gave the staff report to rezone that portion of land located on the 1559 St Margaret's Bay Road, Lakeside. This parcel of land is owned by the Municipality and the request is to rezone the lands from an R-1 to an R-4. Mr. Hanusiak indicated the rezoning was advertised and no correspondence had been received either in favour of or opposed to the rezoning.

Mr. Hanusiak indicated that the property had been for sale and the Municipality had recently received an offer on the property to convert the building into a three unit apartment building.

Mr. Hanusiak indicated that certain criteria must be met prior to the rezoning being approved. The analysis indicated that the rezoning must be in keeping with the MDP's intent to encourage a compatible mixture of housing. Secondly, it was felt the proposed rezoning would have a positive impact in terms of aesthetics on the surrounding land uses. Mr. Hanusiak indicated the building had suffered considerable vandalism. And lastly, the building inspection Department had advised the planning department that all work to the existing structure must meet with the Building Inspection Department's and under those circumstances there will be no objections to the conversion. Planning has also been advised by the Engineering and Works Department the present water and works are capable of accomodating the three units. There are sufficient access and collector and arterial streets to accomodate the unit and that the size of the structure is of a sufficient size to accommodate the required amenity area and parking space.

Based on the staff recommendations this rezoning is recommended to Council for Approval.

QUESTIONS FROM COUNCIL

Councillor Walker asked what the zoning was on the Walker's Funeral Home parking area. Mr. Hanusiak indicated that the area was a P-2 zone which is a community facility area.

Councillor Poirier asked if there was an error in the the original MDP. Councillor Poirier indicated that the Walker property was P-2 and should have been R-1. Mr. Hanusiak indicated that a Development Agreement would be required if there were any changes to the property or to the use of the property.

Councillor MacKay asked how a two story building could be used for a three unit apartment. Mr. Hanusiak indicated that one apartment will be on the bottom floor and two units will be on the top floor.

Councillor Poirier asked if there would only be three units. Mr. Hanusiak indicated that this was the case as the building was 75 feet short of space for the fourth unit to be installed.

SPEAKERS IN FAVOUR OF THE APPLICATION

None.

SPEAKERS IN OPPOSITION OF THE APPLICATION

None.

It was moved by Councillor Walker and seconded by Councillor Larsen:

"THAT the application No. RA-TLB-12-84-02 requesting that the property located at 1559 St. Margarets Bay Road, Lakeside, be rezoned from an R-1 zone to an R-4 zone be approved by Council."
Motion Carried.

PROPOSED AMENDMENT TO THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR COLE HARBOUR/WESTPHALStaff Report

Mr. Chris Ready presented the report from staff indicating the desire of Clayton Developments to have the MDP amended to allow a community commercial designation. The land in question is located at the intersection of Cole Harbour Road and Caldwell Road. Council was also requested to amend the zoning by-law by establishing a Comprehensive Development District (CDD) as shown on the maps provided.

It was recommended by staff that Council approve the requested extended community commercial designation and application of a Comprehensive Development District.

QUESTIONS FROM COUNCIL

None.

SPEAKERS IN FAVOUR OF THE APPLICATION

Mr. Bob Shaw, Clayton Development; Mr. Micheal Willet, Clayton Developments; and Mr. Bill Hardman, Consultant to Clayton Developments spoke in favour of the application. Mr. Shaw indicated that the type of zoning that exists presently is C-2 on the Cole Harbour Road. Mr. Shaw indicated that the concerns which had been brought to his attention include the storm drainage which has been substantially improved over the past few years. A second concern relates to the residential portion of the zoning. Clayton Developments is willing to negotiate with the residents of the area to provide an amicable agreement to all parties concerned. The third consideration was the traffic which may be generated. Mr. Shaw indicated that Clayton Developments would be willing to undergo a complete traffic study.

Mr. Shaw indicated that he felt that Cole Harbour had reached the point where it required its own commercial development being the fifth largest community in Nova Scotia.

Mr. Hardman indicated that Clayton Developments was interested in developing an area which would be complementary to the general area and were interested in having a development with the capability of servicing their own development (Forest Hills and the neighboring development). Mr. Hardman indicated that once the architectural drawings are completed everyone will be pleased with the results.

Mr. Willet indicated that there will be no vehicular access from Hampton Green. He also indicated that they have also submitted a request to the City of Dartmouth for the portion of land inside the City boundary.

QUESTIONS FROM COUNCIL

Councillor MacDonald inquired about the types of businesses which would be located in the Shopping Plaza. Mr. Shaw indicated that it would be the typical services provided in a community center: grocery store, dry cleaning, retailing services, etc.

Mr. Ron Cooper, member of the Westphal/Cole Harbour Service Commission Executive, member of the planning committee for that organization, spoke in favour of the application. The Commission was in favour of this type of development over and above the type of development which may occur there under the present by-laws and zoning. Mr. Cooper indicated that many of the concerns of the residents were similar to those indicated by the developers.

The Warden indicated that letters had been received from the Westphal/Cole Harbour Area Service Commission, dated April 12, 1984, April 13, 1984 from Roland Doucet, Petro Can Operator, and from James Shelnut, President of Shelnut Investments Ltd. April 16, 1984.

SPEAKERS IN OPPOSITION TO THE APPLICATION

Mr. Robb, resident of Caldwell Road spoke in opposition to the application. Mr. Robb indicated that he lived directly across the street from the proposed development.

Mr. Robb indicated that one of his concerns was relating to the potential traffic congestion which may result from a development of this nature.

Mr. Robb also indicated that overloaded sewers would be a problem in this area and this would be multiplied many times over by allowing a development of this nature to take place.

Mr. Robb indicated he has spoken with a number of the residents on the Caldwell Road and they do not feel there is any need for this type of development.

Mr. Robb indicated that an R-2 zoning had been requested by the residents of the Caldwell road. It was indicated that the residents had received the R-2 zoning until the MDP was instituted.

Mr. Robb indicated that if this request was granted he would be launching an appeal. Mr. Robb indicated that a petition was presently being circulated to show Council their opposition to the development.

Councillor MacKay asked Mr. Robb where he lived on the Caldwell Road. Mr. Robb described the location. Councillor MacKay asked if Mr. Robb felt the application was for commercial development. Mr. Robb replied that it was.

Councillor MacDonald asked Mr. Robb if he felt the development would actually create more traffic. Mr. Robb indicated he felt it would.

Mr. Robb indicated that his general shopping practice was to patronize one of the shopping malls in Dartmouth. Councillor MacDonald indicated that by not allowing a shopping center to be developed in Cole Harbour the County would be losing some of their monies.

Councillor MacDonald asked if there was much objection to the mall by the residents. Mr. Robb indicated there was. Councillor MacDonald asked if these residents were aware there was a public hearing this evening. Mr. Robb indicated he felt they knew and there would be more public participation in the next hearing.

Councillor McInroy indicated that he would hope that people in the area who are concerned become involved in the public hearing process. Councillor McInroy indicated that the present zoning would allow much worse overloading of the sanitary system and the water system than the agreement with Clayton Developments would create.

Councillor McInroy indicated he had approached the MLA for the area to try to get improvements made to the Caldwell Road intersection. The problem does not seem to be an overloading but rather the fact that no left-turning advance lights. Councillor McInroy also indicated that there was need for a sidewalk in the area and a right turn lane.

Mr. Robb indicated that since the apartment buildings had been installed in the Forest Hills and the Colby Village area there had been a dramatic crime increase.

Councillor DeRoche asked if the residents of Bel Air Park were equally opposed to the expansion of Bel Air Park. Mr. Robb indicated they were not. Councillor DeRoche indicated that the expansion of Bel Air Park will generate much more demands on traffic, and on the septic sewer system. Councillor DeRoche asked where Mr. Robb had gotten his information regarding the development of apartments in this area.

Councillor Mont asked about Mr. Robb's conception of Cole Harbour being one of the worst crime areas around. Councillor Mont indicated that he had expressed a concern regarding the lack of police protection in Cole Harbour and recently had met with the RCMP to review the crime statistics for the area. Councillor Mont indicated that the statistics did not show a dramatic increase in the crime rate. Councillor Mont indicated that, however, as a result of this meeting, there would be two additional RCMP officers coming to the Cole Harbour area.

Mr. Robb indicated that his feeling was with single-family dwellings you did get a quiet community, however, he indicated once apartments were added to the community the same type of social mix was not prevalent and the activity increased as well.

The Warden thanked Mr. Robb for making his presentation to the Council.

The Warden asked for other presentations in opposition to the application.

It was moved by Councillor DeRoche and seconded by Councillor Snow:

"THAT the by-law to amend the Municipal Development Plan for Cole Harbour/Westphal be adopted."
Motion Carried.

It was moved by Deputy Warden Adams and seconded by Councillor Mont:

"THAT the Zoning By-law for the Cole Harbour/Westphal area be amended as recommended in the staff report."
Motion Carried.

APPLICATION NO. ZA-CH/W-46-83

Staff Report

Mr. Mike Hanusiak presented the staff report recommending that the Zoning By-law for Cole Harbour/Westphal be amended as follows: It was requested by Lockharts Limited that the by-law be amended to replace the words "Twenty-five (25) square feet with the words "eighty-five (85) square feet" and to replace the words "fifty (50) square feet" with the words "one hundred and seventy (170) square feet".

Mr. Hanusiak indicated that a permit had been applied for prior to this application and the permit was refused. It was indicated that the sign was erected and the applicant's were notified they were in violation of the by-law and the sign was removed. It was at this time a proposal to amend the by-law was submitted to the Municipality.

Mr. Hanusiak indicated there was an alternative solution recommended by staff and Lockharts Limited was agreeable to the alternative solution. The proposed solution to the proposal submitted would allow signs to a maximum of 100 square feet in the C-4 zone. The amendment would also allow service stations, building supply outlets, etc., to erect signage of a size customary to their types of business. Mr. Hanusiak indicated that approximately 15 signs which are not in conformity with the existing by-law exist in the area. These residents in the area are located on both the Cole Harbour Road and on Highway Number 7.

Mr. Hanusiak indicated that all of these uses are permitted activities under the present zoning and by-laws. Mr. Hanusiak also indicated that the travelling public must be presented with signs that are readily visible from a distance. Based on this information, Mr. Hanusiak, indicated that staff felt the present by-law can be amended to accommodate commercial residents in the immediate area.

Mr. Hanusiak indicated that staff was of the opinion that an across the board increase from 25 square feet to 85 square feet was not acceptable and recommend the replacing section 5.9 (a) with the by-law as amended in the staff report.

Councillor DeRoche asked how many of the signs which do not conform with the present by-law were in existence before the development of the MDP? Mr. Hanusiak indicated that most of them were already in existence. Councillor DeRoche asked if the intention of the plan was not clearly indicated. Mr. Hanusiak replied that he had no problem with understanding the intention of the plan, however, there were many service stations, etc. which do not conform with the by-law. Mr. Hanusiak indicated that it was the desire of the planning department to bring these people into conformity and to allow only these types of operations signs of this size.

Councillor DeRoche asked for clarification as to whether C-2 zoning was a commercial operation which is providing service to a local area. Mr. Hanusiak indicated that the vast majority of uses were for the local area, however, some uses would have wider useage. Councillor DeRoche inquired if the purpose of a sign would include the purpose of attracting people to that business. Mr. Hanusiak indicated that in the case of an operation such as Lockharts the destination of the consumer would be pre-determined. Mr. Hanusiak also indicated that this type of operation would not be strictly community oriented. Councillor DeRoche expressed the opinion that signage was a form of advertising. Councillor DeRoche indicated that due to the fact that Lockharts was located on the area prior to the MDP being developed, it was necessary to accommodate the operation, but it was not the intention of the residents to attract transient consumers.

Mr. Hanusiak indicated that when the MDP was implemented, McCulloughs had a sign in place and the sign which is proposed by Lockharts was not that much larger in size.

Councillor DeRoche indicated that if the McCullough's sign had not been removed then there would be no problem with the sign remaining in place.

Councillor MacKay asked if in fact the structure supporting the sign had been left in place would it have been in conformity with the present zoning for lockharts to replace the McCullough's sign with their own. Mr. Hanusiak indicated that would be correct if the McCullough's sign was legally in existence.

Councillor Eisenhauer indicated his concern regarding signing in general and indicated that perhaps it would be a concern of the FCM to develop a policy regarding signage for the municipalities. Councillor Eisenhauer indicated this would allow the Municipality to provide guidelines to the manufacturers of these signs. Mr. Hanusiak indicated that country-wide there were no standards. Mr. Hanusiak also indicated that within the County of Halifax there were no standards and the size of the signs allowed differed in the various Municipalities.

Councillor MacDonald indicated his opinion was to leave the signing requirements as they are presently outlined in the by-law as this was obviously the desire of the residents.

SPEAKERS IN FAVOUR OF APPLICATION NO. ZA-CH/W-46-83

Mr. Robert Wright, Solicitor with the law firm of Daily, Black and Moiriera, spoke on behalf of Lockharts Ltd. and Mr. Brian MacPhee, Vice President of Lockharts from Moncton New Brunswick spoke in favour of the application. Mr. Wright indicated that Lockhart's was in total agreement with the staff report and would be fully satisfied if the recommendations made by staff were implemented.

Mr. Wright indicated that Lockharts had salvaged this location and others in Nova Scotia from McCullough's last year and site identification was important to them to aid them in attaining a growth position. Mr. Wright indicated that especially since Lockharts was new to the area it was particularly conducive to Lockharts total marketing approach to develop corporate visibility.

Mr. Wright also indicated that this was the standard sign used by Lockharts. Mr. Wright also indicated that Lockharts considered this sign to be aesthetically pleasing. Mr. Wright indicated that this matter was of considerable concern to Lockharts. Mr. Wright also indicated that this matter was taken before the PAC who without exception endorsed the staff report. Mr. Wright urged the members of Council to support the staff report as well.

Councillor DeRoche asked Mr. MacPhee if there was not already a sign erected on the property. Mr. MacPhee indicated there was a sign. Councillor DeRoche asked why this sign was not sufficient. Mr. MacPhee indicated that the visibility as consumers were approaching from the Cole Harbour was not adequate. Mr. MacPhee also indicated the reason for having the sign was to allow travellers adequate time to slow down to turn into the premises. Councillor DeRoche inquired as to the reason for removing the McCullough's sign. Mr. MacPhee replied that the sign was in such poor repair the faces of the sign could not be replaced.

Councillor Poirier indicated her agreement with the principal of providing signage to retail and commercial outlets and felt that it was important that the sign be erected and the by-laws and zoning be amended to allow for the appropriate signage.

Councillor McInroy asked if Lockharts had costed out having a sign constructed which would meet with the present by-law. Mr. MacPhee indicated that there would not be a major price difference between the cost of the two signs. Mr. MacPhee indicated that by reducing the size of the sign it would reduce the proportions and ruin the image of the sign.

Councillor McInroy asked Mr. MacPhee to elaborate on the landscaping which would be around the sign. Mr. MacPhee indicated that they were aware of the fact they were located in an area which is mainly

residential and during the construction of the lumberyard they had consulted with the neighbors and at their neighbors request had planted trees instead of providing them with a privacy fence. Mr. MacPhee indicated the sign which was in place prior to Lockharts locating in this building was not landscaped and that Lockharts sign will be landscaped and grass and trees/shrubs will be planted.

SPEAKERS IN OPPOSITION TO APPLICATION NO. ZA-CH/W-46-83

Mr. Ron Cooper, member of the Cole Harbour and area Service Commission spoke in opposition to the application. Mr. Cooper indicated he lived at 44 Del Keefe Drive a short distance from the Lockharts premises.

Mr. Cooper indicated that at the time the MDP was instituted signage was a volatile issue and took up considerable amount of time. It was Mr. Cooper's belief that it was the feeling of the PPC that Cole Harbour was a basically residential, local community which was not intended to be a large commercially developed area. When considering the signs in the area, it was recognized that some commercial outlets were not in conformity. Mr. Cooper indicated that to protect the residential nature of the community, standards have been developed. Mr. Cooper indicated that the sign Lockharts wish to erect was twelve percent larger than the original sign erected by McCullough's. He indicated his opinion was this was not what the community desired at this point in time.

Mr. Cooper summarized his closing comments by providing an overview of the situation from the resident's point of view. It was indicated in this summation that a small increase in the size of signs would be agreeable. Mr. Cooper indicated that the signs were already erected on the Lockharts. Mr. Cooper also indicated that a size increase up to 50 square feet in size would be acceptable to the community.

Councillor Eisenhauer indicated he felt that a large part of the sales Lockharts was making was to newcomers and these signs would allow newcomers to the area to locate the premises. Mr. Cooper indicated he felt that the signs on the side of the building were highly visible from all angles with the exception of one side, those people coming from Dartmouth. Councillor Eisenhauer asked if these signs were illuminated. Mr. Cooper indicated that if Councillor Eisenhauer passed the intersection he would not miss the signs as they were well lit.

DISCUSSION FROM COUNCIL

Councillor DeRoche indicated that the topic of signage had been given ample discussion during the MDP and more recently by the planning committee of the Westphal/Cole Harbour and Area Service Commission. Councillor DeRoche indicated that this committee had passed its views on to staff with regard to signage of this area. It was indicated by Councillor DeRoche that the committee had recommended to staff personnel a size of 50 square feet per face of sign for a total of 100 square feet of signage. Councillor DeRoche indicated that this suggestion was also brought to PAC and discussed.

It was moved by Councillor DeRoche and seconded by Councillor Mont:

"THAT Section 5.9 (a) of the by-law be amended to allow the single face of a sign to be 50 sq. feet in area and the area of the two faces combined to total 100 sq. feet.

Motion defeated.

It was moved by Councillor Eisenhauer and seconded by Councillor Walker:

"THAT Council approve the staff recommendations allowing the single face of a sign to be 100 sq. feet in area and the total of the two sign faces to equal 200 square feet."

Motion Carried.

There being no further business, the public hearing was adjourned.

PUBLIC HEARING MINUTES

April 30, 1984

PRESENT WERE: Warden MacKenzie, Chairperson
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor DeRoche
Deputy Warden Adams
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer -
Mr. Bob Cragg, Solicitor
Mr. Keith Birch, Chief Planning and Policy

SECRETARY: Ms. C.L. Weeks

CALL TO ORDER

Warden MacKenzie called the meeting to order at 7:10 p.m. with the Lord's Prayer.

ROLL CALL

Mr. Meech called the roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT C. Lynn Weeks be appointed as Recording Secretary."
Motion Carried.

PROCEDURES FOR PUBLIC HEARING

For the benefit of those persons in the gallery Warden MacKenzie outlined the format of the Public Hearing Proceedings.

PROPOSED AMENDMENT TO THE MUNICIPAL DEVELOPMENT PLAN--SACKVILLE

Mr. Birch presented the report which he indicated this was not a recommendation arising from an application to amend the zoning by-law or a recommendation from the department. The background to the issue of the matter at hand is that the definition for multiple dwellings which are permitted within the C-3 commercial core of the Sackville plan be amended to read instead of "three (3) or more" to read "two (2) or more".

That change under the Departments' advice, requires a plan amendment due to the way the plan is structured. Mr. Birch indicated that by amending the zoning by-law to allow duplexes at large would amend the intention of the plan.

Councillor MacKay asked if Mr. Birch would elaborate on how to facilitate this request to allow only certain portions of the commercial core to be developed with duplexes. Councillor MacKay indicated that the only solutions the Sackville Advisory Board had been able to see would solve the problem was: 1. to allow specific portions of property in the C-3 area to be re-zoned; 2. drop the commercial zone entirely and rezone the area as a community use designation; or, 3. strike the core area and replace it with another designation. Councillor MacKay indicated as far as he could understand the situation it would be impossible to have both the commercial and residential use which is available at the present time with the phrase "three (3) or more" in the wording of the by-law.

Mr. Birch indicated this was correct.

SPEAKERS IN FAVOUR OF THE AMENDMENT

Mr. Archie Fader, resident of the Sackville area spoke in favour of the application. Mr. Fader indicated he had requested the amendment although he was in favour of the commercial core when it was first instituted although he did not support losing the privileges he had had in the past by losing what he had which was some R-2 development due to the fact he felt there should be some R-2 residences there.

Mr. Fader indicated he had spoken with Mr. Gough who had indicated that R-2 zoning was not available on his land after the Sackville Municipal Plan was instituted. Mr. Fader indicated he felt that he could say there was a definite need for R-2 and in fact more of need for that than there was for a C-3 designation. He indicated not a square foot of property had been sold in the C-3 zone since the MDP had been instituted.

Mr. Fader indicated he felt this amendment to the definition would be an advantage to the landowners in the area.

Mr. Fader indicated he had letters from two residents abutting his property. One was from Bob Macdonald which indicated that he had no objection to any change in the definition to change the wording from Three or two. The second letter was from Paul Hyland indicating he had no objection to the changes in the MDP.

Mr. Bob Taylor, resident, 130 Gloria Court, Lower Sackville spoke in favour of the application indicating he was a real estate agent in the Lower Sackville Area. He felt that in the Sackville market there was a heavy demand for R-2 accommodation and the supply was very limited. He indicated that there presently, was, to his knowledge, no land available for developers in the Lower Sackville for an R-2 Development.

Mr. Taylor indicated there was a need in Sackville for some homes priced in the \$50,000 to \$60,000 range and Mr. Fader's lands, if the definition was amended, would provide that type of accommodation.

SPEAKERS IN OPPOSITION TO THE AMENDMENT

Mr. Frank Sutherland, Chairman, Sackville Advisory Board spoke in opposition to the application on behalf of the Sackville Advisory Board. Mr. Sutherland indicated that in Sackville they were attempting to establish a commercial core and it was not the intent of the plan to allow duplexes in the commercial core area.

Councillor Lichter inquired when it was made clear that the wording of the definition was three or more instead of two or more. Mr. Sutherland indicated he was not able to answer that question specifically, however, his interpretation of the County By-Law, the City of Halifax's By-Law and the City of Dartmouth's By-Law, multiple dwelling means three or more units. Councillor Lichter also inquired if the Sackville Advisory Board would be satisfied if Council took the route of shrinking the size of the commercial core and allow that portion of the present core which was eliminated to become R-2. Mr. Sutherland indicated that any approach except that approach which was taken here this evening would be more acceptable. Mr. Sutherland indicated that the Advisory Board felt there was support for some R-2 zoning. However this agreement was contingent on the fact that this zoning would fit as an overall plan. The Board did not feel that various applications should be looked at in isolation.

Councillor Lichter asked how long ago did the intent of the Sackville Advisory Board begin to talk about changing the definition of the MDP. Mr. Sutherland indicated this was discussed at two meetings beginning approximately one month ago.

Councillor MacKay indicated he believed this item was first discussed in October of 1983 and that in January 1983 a priority list had been drawn up and this was slated as either high, medium, or low priority.

Councillor DeRoche indicated one of the reasons Paul Hyland had indicated his support for the amendment to the definition was the fact that the Municipality was not in the process of implementing Policy #57 which has to do with the commercial core area. Councillor DeRoche asked if this matter had been for some time with the Sackville Advisory Board. Mr. Sutherland indicated the Sackville Board did not feel they had the necessary expertise to complete a detailed plan for the commercial core area and the County had indicated they did not have the staff available to consider this.

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

"THAT Section 2.15F of the Sackville Municipal Development Plan be amended by deleting the word three and substituting the word two."

Councillor MacKay indicated that when the process of developing the Sackville Municipal Development plan was first started three and one-half years ago lengthy discussion took place and there was no person who could indicate just what type of development should be placed there and that was why there was provision for a secondary plan to be implemented after adoption of the original plan. As well, on some occasions the word multiple was discussed and it was discovered that multiple can be defined as either two or more and/or more than one. Councillor MacKay indicated it was firmly implanted in the minds of the people working on the plan that multiple meant two or more.

Councillor MacKay indicated it is now the intent to reinforce the original intention of the PPC. Councillor MacKay indicated that the MDP is a statement of policy and is to be interpreted and that policy will state which direction the development will proceed in.

Councillor MacKay indicated he had become a member of the PPC in November of 1982, and at that point in time Mr. Hyland and himself were involved in a great debate of whether the County would be enforcing the MDP or not. Councillor MacKay indicated that between the months of January and June, 1983 after much discussion a list of priorities was requested and it was made up as high, medium, and low priorities. Councillor MacKay indicated that the secondary planning of the area was listed as a high priority item. The County indicated to the Sackville Advisory Board they did not have the personnel available to aid the Board in their work. Councillor MacKay also indicated a series of meetings had been held beginning in October, 1983 and culminating in January, 1984. Through that process two items were dealt with, the definition of the Zoning by-laws with which there was some difficulty and the other was with regards to the detailed planning. What the final conclusion was, were, that the County did not have the personnel available to aid Sackville and that the Sackville Advisory Board felt that they did not have the necessary expertise and that the PPC felt their job was at an end.

Councillor MacDonald indicated he did not agree to opening up the core area to two-unit dwellings. Councillor MacDonald indicated there was a great demand for two unit dwellings and felt that perhaps that property should be taken out and held in a land bank for five years until such time a detailed plan was available.

Councillor Wiseman indicated her opposition to the amendment to the Municipal Development plan. Councillor Wiseman indicated her first concern was that the definition of multiple was more than three and she indicated this was what her decision was based on. As well, during the plan process it was the intention to have high density development. Councillor Wiseman indicated she was aware of the need for R-2 land.

Councillor MacDonald asked if Mr. Birch could indicated some solution to the problem. Mr. Birch indicated that it was possible to remove a portion of the core area and re-designate it commercial and/or residential with a portion of the front piece of land left as commercial. Mr. Birch stated this solution had been indicated to the Planning Advisory Committee.

Councillor MacKay stated he did not want to deviate from the intent of the Sackville Development plan. He also stated that Mr. Fader was able to apply for rezoning to have his lands removed from the commercial core and have a residential designation on the whole parcel. However, it was the intent to leave the front portion of the property as commercial.

Councillor Lichter asked Mr. Birch if it was not possible to have one portion zoned one way and another portion zoned another way. Mr. Birch indicated that as long as part of it has access via zoning through road frontage it is possible to have two zones on it. However in this instance, it includes part of the commercial core with part of the frontage left as commercial and the rear portion which can be developed separately as R-2 which will require a plan amendment.

Councillor Lichter indicated his view was that he respected the right of the land owner to develop land as the owner sees fit.

Motion Lost.(9 in favour/ 9 in opposition)

It was moved by Councillor Walker and seconded by Councillor

"THAT this item be re-considered."
Motion Carred.

REZONING APPLICATION NO. RA-SA-48-83-16

Councillor McInroy declared a conflict of interest due to his employment with the Department of Housing and his involvement with that site.

Mr. Mike Hanusiak presented the staff report for an application by Oakdene Estates to rezone Lots A1A of the lands of William A. Sharkey and Marguerite J. Sharkey located on Florence Street and a portion of Lot R-2A of the lands conveyed to the Nova Scotia Housing Commission, located northeast of the intersection of Florence Street and Sackville Drive. The request was to rezone this lot of land from an R-1 zone to R-4 zone (Multiple Unit Dwelling zone) to permit construction of a 70 unit apartment building.

It was indicated by Mr. Hanusiak it was the owner's intention to amalgamate the two lots into one lot if the rezoning request was successful.

Mr. Hanusiak stated the application was advertised in accordance with the Planning Act and had received a number of letters in opposition to the application.

Mr. Hanusiak indicated that the land was designated for future use as an urban residential area which constitutes a high priority for single unit developments and its associated home business occupations and acknowledge the need for local commercial development.

Mr. Hanusiak indicated that planning staff were in favour of this application for six reasons:

- a) The rezoning is in conformity with the plan's intent to encourage eventual mixture of housing stock within the urban residential designation.
- b) Secondly, perhaps most importantly, the physical and topographic features of Lot R2A coupled with the height restrictions of the R-4 zone will make it very difficult to see the structure from the residential streets.
- c) The size and shape of the building will not interfere with the buildings along the commercial core being 250 feet off Sackville Drive.
- d) The site is in close proximity with schools, recreation, shopping, facilities and make it well suited for multiple unit residential development.
- e) The Department of Transportation has no objection to the access from Florence Street and the development must satisfy a requirement of ± 2 degrees in the slope in the driveway.
- f) The sanitary system is capable of maintaining an average density of 18 persons per acre. The proposed development will result in an average of 10.5 persons per acre.

It was the recommendation of staff that this rezoning be approved.

QUESTIONS FROM COUNCIL

Councillor DeRoche inquired how many persons would be living in the building, using the facts which would be available to the planning department. Mr. Hanusiak stated that it would be difficult to state but for a two bedroom unit it would average to approximately 3.33.5 persons per acre and for a one bedroom unit 2 persons per acre.

Councillor DeRoche also asked if the Engineering department had considered how many people would be utilizing the sanitary system assuming 25 R-1 residential homes could be placed in this area. Mr. Hanusiak stated the average would be approximately 3.6-3.7 persons per acre. It was also important to note that the Department of Engineering had considered the problem in the total vicinity and not just on the proposed building site.

Councillor DeRoche asked if a 70-unit apartment complex housing approximately 180 people would create less demand on the sewer system than 25 homes generating 85 people. Mr. Hanusiak indicated he was stating that the sanitary system could easily handle the 10.5 persons the 70-unit dwelling would result in adding to the sanitary system which is capable of handling 18 persons per acre.

Councillor MacKay asked if during the processing of the application any member of staff had looked at the site where the access would be. Councillor MacKay asked if Mr. Hanusiak agreed that there would be safe access available to persons given the general area. Mr. Hanusiak indicated that in discussing this matter with the Department of Transportation--Traffic Division personnel; it was indicated that local streets carry a speed limit of 50 km/h and the stopping distances have been calculated follows: if there is a straight line with 6-8 incline, and the grade on Florence Street is in that vicinity, then the stopping distance is approximately 71 metres, or 235 - 239 feet. The sighting access from the stopping point to the last possible point of visual contact was approximately 250 feet. This indicates that there would, in fact, be safe access to this residential unit. The personnel from the Department of Transportation also indicated that 50 km/h is what you will find on a straight turn and on that particular turn nobody will be negotiating that turn at 50 km/h; it would be at a significantly lower speed.

Councillor MacKay indicated he had a problem with access to this road due to the difficulty in negotiating the road in the winter months. Councillor MacKay also stated that a letter was received from the Chairman from the Committee operating the Department of Transportation stating how an access could possibly be approved on that particular street.

Councillor MacKay asked which school (elementary) the proposed elementary aged residents would attend. Mr. Hanusiak indicated that Dr. Morrison of the School Board did not state which school was under consideration to be attended by the children in the area.

Councillor MacKay asked if Mr. Tam had looked at the correct area due to the fact in his letter he referred to the Old Sackville Road and not Sackville Drive. Mr. Hanusiak stated that Mr. Tam was referring to Sackville Drive. Mr. Hanusiak stated that the Department of Engineering was concerned about multiple unit development in the Sackville area and you cannot develop apartment buildings if you stay with the 25 persons per acre, however, what is looked at there would be the overall density.

Councillor MacKay indicated that it was not the intent of the MDP that apartment buildings be developed at random and in fact a number of specific sites had been chosen for this purpose and been given dual zoning for that purpose. Mr. Hanusiak indicated that that was not his interpretation of the intent of this plan.

Councillor Margeson asked if the possibility of access and egress from Sackville Drive had been investigated further by Mr. Miller of the Traffic Division of the Department of Transportation. Mr. Hanusiak indicated that Mr. Miller was willing to look at the possibility but it must meet the criteria set down by the Department of Transportation.

Warden MacKenzie indicated all members of Council had been presented with a copy of the Sackville Advisory Report, the Arsenault's Ambulance Service, and a report by Paul Miller. Warden MacKenzie also indicated he had a great many letters from the residents in the area. Warden MacKenzie indicated that all letters were in opposition.

Councillor MacKay indicated he felt there were 123 letters received by the Municipal Clerk plus the three received tonight.

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

"THAT these peices of correspondence be received."
Motion Carried.

SPEAKERS IN FAVOUR OF APPLICATION RA-SA-48-83-16

Mr. Arthur Gillespie, Developer of the proposed multiple unit dwelling spoke in favour of the application. He stated that the location of the building is in the best location available on the site. The building was to be placed there due to the steep contours going down the hill and the building is screened from the residents of the area. Mr. Gillespie indicated there would be ample parking available and in all likelihood the upper parking area would not be used. Mr. Gillespie also indicated he would be willing to give some of the site to the residents which would further protect them in the Kaye Street area and up the side of the hill for the cost of \$1.00 (one dollar).

Warden MacKenzie inquired if the land to be given to the residents would include those people on Florence Street. Mr. Gillespie indicated it would.

Mr. Gillespie indicated the building would be constructed of pine and brick and will be a pleasant looking building. Mr. Gillespie indicated it was his firm who would also be renting the building to tenants after it was completed. He also indicated the rent would be in the vicinity of \$500 per month. Mr. Gillespie felt this rent range would attract a middle class or upper class apartment dweller. Mr. Gillespie indicated that he had done an impromptu traffic study at the corner of Florence Drive and Sackville drive and during the two hour period he was there, beginning at 7:00 a.m. he counted an average of 1.5 vehicles passing per minute. For this reason he did not feel there was a traffic problem on Florence Street.

Mr. Gillespie showed Council an illustration of the proposed parking entry to the proposed building site and indicated that the entryway would be almost level. Mr. Gillespie also indicated that he would erect fencing around the property and construct pathways through the property. He felt this may prevent the children of tenants from running through the neighbourhood. Mr. Gillespie also indicated to Council members the intent was to place storm sewers on the site to reduce to run-off.

Mr. Gillespie indicated he did not feel the number of households in opposition was 123 but rather 60 because more than one member of a household wrote a letter in many cases. He also indicated there were only six people on Florence Street who were concerned.

Mr. John Emmett, Architect for the firm indicated Mr. Gillespie had approached the firm eight months ago requesting some assistance in developing a proposal for the property. Mr. Gillespie had indicated to the firm he was not interested in having a legal battle with the County or Residents. For this reason there was considerable contact with the County and the architect indicated he felt that this apartment building met all the requirements of the MDP for Sackville. He also indicated that there would be considerable problems if the dwelling emptied out onto Sackville Drive and not Florence Street.

The architect also indicated that what was being dealt with was a conceptual design and was meant to be as sympathetic to the area as possible.

Councillor MacKay asked Mr. Gillespie if he knew that when the Housing Commission first developed that area, Kaye Street, in particular, sold people the land on the premise that the land immediately in back of their own properties would be green area and this would be why there is such strong opposition from the Kaye Street area.

Councillor MacKay asked Mr. Gillespie what time the traffic study was conducted. He indicated the study was completed between 6:53 and 8:56 a.m.

Councillor MacDonald asked Mr. Gillespie if the traffic problem was not actually at Seawood Drive. Councillor MacDonald indicated he felt the problem was much worse there, than it would be on Florence Street. Mr. Gillespie indicated he did not feel the traffic situation was much of a problem and could be worked out.

Councillor MacDonald indicated that the concern from the residents on Kaye Street may be the result of allowing one apartment building on this proposed site may pave the road for other apartments being developed in the area.

Mr. Gillespie indicated he had a letter from the Town Planner in Kentville and asked Warden MacKenzie if he could have the letter read. Warden MacKenzie indicated the letter was addressed to the Halifax County Council. It was agreed by Council to hear the letter. The letter indicated Mr. Gillespie had developed two apartment buildings in the Town of Kentville in the past three years and 20 to 30 single family dwellings and the Town was very pleased with the developments and is willing to accommodate both the wishes of the Town and the wishes of the residents of the area.

Councillor Bayers asked how Mr. Gillespie intended to incorporate the lands he stated to be willing to sell to residents for \$1.00 on the property if it was rezoned. Mr. Gillespie indicated that the residents would end up with a piece of R-4 land at the back of their property.

Mr. Hanusiak indicated that the scope of the zoning could be reduced and this could be done here to accommodate the residents. The only thing that could be done would be to reduce the scope of the rezoning.

Mr. Cragg indicated that Council could withhold zoning for any portion of the land it wishes to. Warden MacKenzie asked if this could be incorporated into the resolution. Mr. Cragg indicated it could be done that way or the way which Mr. Gillespie suggests.

Warden MacKenzie inquired what could be done with the properties if the back portion was zoned R-4. Mr. Cragg indicated nothing would have to be done if the property was not to be developed. Mr. Cragg also indicated that each individual or a block of individuals could apply to rezone.

There were no other speakers in favour of the application.

SPEAKERS IN OPPOSITION TO APPLICATION RA-SA-48-83-16

Rodger Aitken, resident, 9 Florence Street, spoke in opposition to the application. Mr. Aitken indicated that he would be able to see the development. Mr. Aitken also indicated that the speed of vehicles does exceed 50 km/h on that road.

Mr. Aitken commented on some of the remarks by Mr. Gillespie and Mr. Gillespie indicated he wanted to minimize the uprooting of trees and if this is the case why does he want or need that additional parking section which was indicated will not be fully utilized.

Mr. Aitken also commented on the fact that only eight houses on the street were in opposition however, these eight houses are the majority of residents on the street. As well, the residents were concerned that Florence Street was too busy at present because it is the main thoroughfare for several streets at the top of the hill. He indicated that Mr. Gillespie may not have completed his survey when the street was at its busiest. He also indicated that there was always a serious problem with cars sliding down the hill during the winter months. The residents felt that an extra 100 cars per day would make the situation intolerable. Mr. Aitken stated the residents would be concerned about the possibility of falling property values in the event this proposed development was allowed.

Mr. Aitken also indicated that one of the residents had had an appraisal of their home recently and in a letter received from the appraisal company, it stated if the apartment building was constructed here it would decrease the value of their property. Mr. Aitken indicated the residents had a concern with private property being trespassed on by the children living in the apartment building and this was already a problem with the people in the area. He indicated that there was already a problem with garbage from the fast food outlets, and the residents felt this would magnify the problem.

Mr. Aitken indicated it was the contention of the residents that if a very small percentage of the wrong type of tenant were housed in the building problems may occur even though the majority of the tenants would be of the type and quality described by Mr. Gillespie. The residents were also concerned that this apartment complex, if approved, would be a precedent for land now bordered by Kaye Street and Pine Hill Drive and this property would in all likelihood be a second apartment building development. The residents also felt if the area was rezoned they would be at the mercy of Mr. Gillespie who may sell the land or change his plans to build something different, or not develop the property in the manner he stated the development would be carried out.

Mr. Aitken indicated that he felt the additional land would not really solve the problems which the residents feel they will experience.

Councillor Eisenhauer indicated he understood that portions of the Apartment building would be visible and the parking would be more than necessary, however, this is required by the County's by-laws.

Mr. Donald Boland, resident, spoke in opposition to the application. He indicated his residence was located on 4 Cornwall Street. He indicated he had examined the site location from the road on Florence Street. He indicated that subsequently he had conversed with Mr. Mike Hanusiak and Mr. Hanusiak was very helpful although they did not agree on two points. Mr. Boland indicated he did not feel the measurements for the driveway were accurate and, in fact, were out by approximately six and one-half feet. The second point was that the scale distances do not match with the attachment he had received from Mr. Ricketts.

Mr. Boland also indicated that Mr. Hanusiak did not feel the erection of an apartment complex would devalue the homes, which Mr. Boland did not agree with. Mr. Boland also indicated that the residents had taken some measurements regarding road grades and did not feel it was safe to have an access/egress road to the apartment building on Florence Street. Mr. Boland indicated that if the Department of Transportation approved this access he would have very strong reservations about their safety standards.

Mr. Boland also inquired what efforts were made to control unsightly premises. He indicated there was a vacant lot in the area which should be inspected.

Mr. Gary Miller, resident, 178 Kaye Street spoke in opposition to the application. Mr. Miller indicated his property was not adjacent to the proposed project however, his residence is situated next to an apartment complex of less than 12 units. He indicated he had a severe problem with garbage being thrown onto his property, people are crossing the property to access short-cuts. He also indicated that a week ago his neighbor had teenagers in the area lighting fires in his backyard. He also stated that these people do not respect any requests to stay off the property owned by other people in the neighborhood.

As well, Mr. Miller stated that he felt it would be unhealthy, unwise, and in general poor planning to locate the proposed complex in this area.

Councillor Poirier indicated she felt the present residents of this area were discriminating against people with children who lived in an apartment building. Mr. Miller indicated that there was no area for these children to play in as they would be in single family dwelling and this was not discriminatory but there would be a problem with these children in this area. Mr. Miller stated he felt there were proper places for people with children to rent and this location would not be suitable. Councillor Poirier asked what he meant by "proper places". Mr. Miller stated he was not a planner and therefore could not comment on that specifically.

Mr. Clarey Aires spoke in opposition to the application. He indicated he resides at 194 Kaye Street. He indicated that a number of locations had been designated as multiple housing areas and not one of these areas have been developed. Mr. Aires asked why these developers did not present their plans during the formulation of the MDP by the Councillors and residents of the area. Mr. Aires indicated this property if it was re-zoned, would be a precedent and open the area to other developments.

Mr. Aires also indicated that there was no guarantee Mr. Gillespie would be erecting the apartment building in the manner he had described once the re-zoning was granted.

Mr. Aires also indicated it was stated in the MDP that Council shall support and recommend R-1 Developments and the proposed development would not be in conformity with this commitment of Council. He also

indicated that there were some areas in Sackville which were designated to be used specifically for Multiple Unit Dwellings. It was Mr. Aires suggested that Mr. Fader and Mr. Gillespie resolve their problems together.

Ms. Elsie Allen, resident, 106 Ridgeview Drive, spoke in opposition to the application. Ms. Allen asked what type of heating system would be installed in the proposed development; and what type of regulations would be in force regarding the types of vehicles being used by the residents of this complex; how will the garbage be disposed of; and what would be done about the infestation of rats which was already a problem.

Ms. Allen indicated she was suffering from an environmental disease and was not in favour of this complex as the increased pollution may increase the severity of her disease. Ms. Allen indicated she was well aware there were a large number of divorced women and their children living in the Sackville area and most of the people living in the apartment would be single mothers with their children.

She also indicated her property would be on the route to school for these children and felt her property would be a walkway for these children and her property may suffer some damage as a result of this walkway.

Mr. Murray Cook, resident, 12 Cornwall Street, spoke in opposition to the proposed development. He indicated he did not agree with the analysis by the Department of Transportation and felt that this street was extremely dangerous especially with the increased traffic caused by this development.

Mr. Murray also indicated he felt children in the area would cause problems with the litter they throw around.

Mr. Stan Collins, resident, 8 Florence Street, spoke in opposition to the application. Mr. Collins indicated that he felt there were definitely traffic problems in this area.

Councillor Eisenhower asked Mr. Collins if this property was up for sale or development of some type and what did the residents want. He asked if the residents wanted recreational facilities, commercial development or what type of development would be acceptable. Mr. Collins indicated that this had not been considered by himself. He also indicated he did not object to the commercial developments which may occur here.

Councillor MacDonald indicated the Housing Commission was not particularly interested in selling this property and agreed to sell it when the developer approached this department.

Mr. Collins asked Mr. Hanusiak if it would be permissible to build an office complex in the commercial area of the land on the Sackville Drive portion of the property considering the sanitary system constraints. Mr. Hanusiak stated that commercial development does not place as much as demand on the sanitary system as would residential development.

Mr. Nick Backer, resident, 8 Cornwall Street, spoke in opposition to the development. He indicated he was very concerned regarding the school population knowing that portable classrooms would be used to a greater extent than they are now.

Mr. Steve Barry, resident, 198 Kaye Street, spoke in opposition to the application. Mr. Barry indicated it was his feeling the quality of life on Kaye Steet would degenerate so that he doubted he would want to live there any longer. Mr. Barry indicated that Mr. Gillespie stated the effect would be minimal on the residents and the residents would want the development to have no effect at all.

Mr. Barry indicated he had three children attending Sackville Centennial School where portable classrooms are being used now and, therefore, the schools must already be crowded. He indicated that the effect of the apartment building would affect the school population which would in turn affect the children in the schools.

Mr. Barry indicated he felt regardless of whether or not the building would be seen, it would be an inconvenience. He indicated there was land off Sackville Drive available for highrise development and this is where this building should be placed.

Mr. Barry also stated he felt that there would be a serious traffic problem in this area if the proposed development was permitted.

Mr. Barry also indicated that garbage would be a problem in this area. His experience with condominiums indicated to him that the degree of pride was not as evident in those types of dwellings as it is in single family dwellings. Mr. Barry indicated in the buildings he managed, allowing for two vehicles per dwelling, there was still a problem with vehicles and parking.

Mr. Barry also asked who would be paying the taxes on the property Mr. Gillespie is willing to turn back to the residents abutting his property. Mr. Barry also stated that this development if permitted would set a precedent for a second apartment which would be developed on the vacant lot in the area.

Councillor Eisenhauer asked Mr. Barry what he felt should be developed there and if this development is not passed there may be no course of action which could be taken to prevent a second development of a less desirable nature than the proposed development. Mr. Barry indicated that if R-1 housing was proposed for this area there would be nothing which can be done about it even though he may not agree with the development.

Mr. George Taylor, resident, 228 Kaye Street, spoke in opposition to the development. Mr. Taylor indicated his backyard would be a main thoroughfare for children on their way to school and this was the reason for his opposition to the application.

Mr. Burt Black, resident, spoke in opposition to the application for development. He indicated his major concern regarding this building was for the children who would be residents having to come down the driveway and walk on the street. He felt this situation would be dangerous for the children considering the present traffic situation and the danger would increase with the increased traffic from the apartment dwelling.

QUESTIONS FROM COUNCIL

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

"That the application for rezoning of application RA-SA-48-83-16 be denied."

Councillor MacKay also indicated his intention to speak on the motion and reserved the right to conclude debate on the motion. Councillor MacKay indicated he felt that the traffic situation was dangerous and did not feel the development should be allowed. He also indicated that there were other areas which could be developed for Multiple Unit dwellings. Councillor MacKay indicated it was not the intent of the MDP to have Multiple Unit Dwellings in this area.

Councillor MacKay indicated that if the area not used in the site was not turned over to the residents there was no provision in the planning act which would prevent construction on this land. He also indicated that schools had been a problem in the Sackville area for a number of years and these schools do not have adequate facilities and are over-crowded.

Councillor MacKay indicated that if 123 people or even 60 households to write a letter in opposition there must be some very serious reservations on the part of the residents. He also indicated that both a trailer court zoning had been applied for in the area and another apartment building which had both been denied.

Councillor MacKay indicated that R-1 will be allowed on this piece of property and that by contract development can be allowed. Councillor MacKay indicated this location may be a very good location for a community park. Councillor MacKay urged the other members of council to support his stand on this motion.

Motion Carried.

A five minute recess was called.

Warden MacKenzie call the meeting back to order.

Warden MacKenzie indicated there was a motion to reconsider application for the amendment to the Sackville Municipal Development Plan.

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

"THAT the motion of reconsideration be considered."

Councillor MacDonald asked if it was necessary to have the same number of voters as were present for the first vote on the motion. Mr. Cragg indicated it was not necessary to have the same number of people who voted on the motion the first time, however, it would be necessary to limit the voting to those persons who were present for the discussion on the main motion.

Councillor MacKay indicated that if this motion is passed it will place the first motion back on the floor to be re-debated and re-voted upon.

Motion Carried.

Councillor MacKay indicated that he would be in favour of the motion if there was a way to develop the area if it could be done without disrupting the whole core area. Councillor MacKay also indicated that R-2 had a different definition than multiple unit dwelling with the proviso that the definition be changed from three or more to two or more.

Councillor MacKay indicated he felt the commercial area may be adversely affected. When the commercial core was first developed there were many more prospects for the area than what exists now. Councillor Eisenhower indicated he felt the core area could be altered to allow the fringes to be developed in either direction.

Mr. Meech indicated there was no restriction with shrinking the core area by rezoning application, but what was desired was to have both types of zoning here by changing the definition to read two or more for multiple unit dwellings.

Councillor Lichter indicated this problem could be solved by amending the plan.

Councillor MacDonald indicated he was disturbed by the proposed amendment to the definition of multiple unit dwellings and the time and effort put into the planning and protection of the core area would be wasted if this motion was carried.

Councillor DeRoche stated that the people of Sackville indicated in no uncertain terms that they wish to have the Municipal Plan upheld. He indicated he was not in favour of the motion.

Councillor Wiseman indicated she was not in favour of the motion. Councillor Wiseman also moved for adjournment. Warden MacKenzie indicated the vote would still have to be taken by the same Council members and it was noted that one member had left.

Councillor DeRoche indicated that the Council members who were present for the original discussion and debate on the issue and this councillor should therefore be allowed to vote.

The meeting was adjourned until Tuesday, May 1, 1984.

JOINT COUNCIL SESSION

MUNICIPALITY OF THE COUNTY OF HALIFAX AND THE TOWN OF BEDFORD

APRIL 24, 1984

PRESENT WERE: Warden MacKenzie, Chairman
Mayor Roberts, Chairman
Councillor William Roy
Councillor Bosco Loncarvic, Deputy Mayor
Councillor Phyliss Doyle
Councillor David Lugar
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor DeRoche
Councillor Wiseman
Deputy Warden Adams
Councillor Mont
Councillor MacDonald
Councillor McInroy
Councillor MacKay
Councillor Margeson
Councillor Snow
Councillor Lichter
Councillor Reid
Councillor Bayers

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. G.J. Kelly, Municipal Clerk
Mr. Dan English, Chief Administrative Officer
Mr. Ken Wilson, Director of Finance

SECRETARY: C.L. Weeks

CALL TO ORDER

Warden MacKenzie called the meeting to order at 4:15 p.m.

Mr. Meech called the roll.

Warden MacKenzie welcomed the Bedford Town Council to the County Chambers.

Mayor Roberts indicated to the joint councils that the recommendation of the Bedford Town Council and its intention was to recommend an overall increase of 15.5 per cent.

Mr. Meech spoke on behalf of the Municipality of the County of Halifax and indicated that it was the intention of the County Council to maintain the excess costs of the school board budget to the same dollar figures which had been granted in the previous year, 1983, for the 1984 budget.

Mr. Meech indicated that this would entail an overall budget increase of 4.3 per cent.

It was moved by Councillor Walker, seconded by Deputy Warden Adams:

"THAT the recommendation of Halifax Cunty Council that the Halifax District SChool Budget be increased by 4.3 percent be approved."
Motion Defeated.

There was some general discussion by Councillors and it was indicated by Councillor Mont that the recommendation by Halifax Council was supported by 60 per cent of the Council and others on the council did not feel this amount of monetary support would be adequate for the school board to maintain the services it was now providing at the level which was considered to be adequate.

Councillor Wiseman also indicated her support of Councillor Mont's statement.

It was moved by Councillor Lugar and seconded by Councillor MacDonald:

"THAT the 1983 excess costs be increased by \$300,000 for 1984 to grant an overall increase to the school board budget of 6.7 per cent."
Motion defeated.

Councillor Poirier indicated that it was her feeling that the excess costs should be reduced each year until there are no excess costs in the budget. There was some general discussion by the councillors and some of the councillors indicated their agreement with the idea.

It was moved by Councillor Mont and seconded by Councillor Snow:

"THAT the District School Board be granted an overall increase of six per cent with the increase in the excess costs being 3.9 per cent."
Motion Defeated.

It was moved by Councillor Larsen and seconded by Councillor Margeson:

"THAT the District School Board be granted an overall increase of five per cent
Motion Defeated.

Councillor Roy indicated that the excess costs for the years following 1983 must be systematically reduced and suggested that a one percent increase in the excess be considered.

It was moved by Councillor Roy and seconded by Councillor Loncarivic:

"THAT the District School Board Budget be increased overall by 4.7 percent and that an increase of .5 per cent be approved for the excess costs and that the excess costs for the following years should continue to be reduced."

Motin Defeated.

There was some general discussion by Councillors about the direction of the negotiations for the school board budget and a recess was called for five minutes to allow Councillors to discuss the matter.

Councillor Larsen indicated to the joint session that only 16 per cent of the school board budget would be voted on as the mandatory costs were already set.

Councillor Wiseman indicated her agreement with Councillor Mont and asked that Mr. Gillis be allowed to address the session of Council. Warden MacKenzie indicated that Mr. Gillis had already addressed council on the budget and therefore would not be allowed to speak.

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

"THAT an overall increase of 5.5 percent be granted the District School Board Budget."

Motion Defeated.

Councillor Margeson indicated that the enrollment had increased by 1.4 percent and that the Provincial government guidelines allowed for 6 percent increase.

It was moved by Councillor Margeson and seconded by Councillor Wiseman:

"THAT an overall increase of 7.4 percent be granted to the District School Board Budget."

Motion Defeated.

It was moved by Councillor Mont and seconded by Councillor Snow:

" THAT Council adjourn."

It was amended by Councillor MacKay and seconded by Councillor Snow:

"THAT Council adjourn, until 3 p.m., Friday, April 27, 1984."
First Motion Defeated.

Amendment to the Motion Defeated.

It was moved by Councillor MacKay and seconded by Councillor Baker:

"THAT adjournment be set for 7 p.m. this evening."
Motion Carried.

It was moved by Councillor Larsen and seconded by Councillor Poirier

"THAT the District School Board be granted an increase in the 1984 budget of five per cent plus one dollar."
Motion Carried.

There being no further business the meeting was adjourned at 6:35 p.m.

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ANNUAL COUNCIL SESSION

APRIL 3, 1984

Present Were: Warden MacKenzie, Chairman
Deputy Warden Adams
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor DeRoche
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor MacKay
Councillor McInroy
Councillor Eisenhower
Councillor MacDonald
Councillor Wiseman
Councillor Mont

Also Present: Mr. G.J. Kelly, Municipal Clerk
Mr. K.R. Meech, Chief Administrative Officer
Mr. Robert Cragg, Solicitor

Secretary: C. Lynn Weeks

CALL TO ORDER

Warden MacKenzie called the meeting to order at 6:05 p.m. with the Lord's Prayer.

ROLL CALL

Mr. Kelly called the roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor DeRoche and seconded by Councillor McInroy:

"THAT C. Lynn Weeks be appointed as recording secretary."
Motion Carried.

Councillor Bayers thanked the Council for their expressions of sympathy to his family during the past weeks.

APPROVAL OF MINUTES

It was moved by Councillor Snow and seconded by Councillor McInroy: