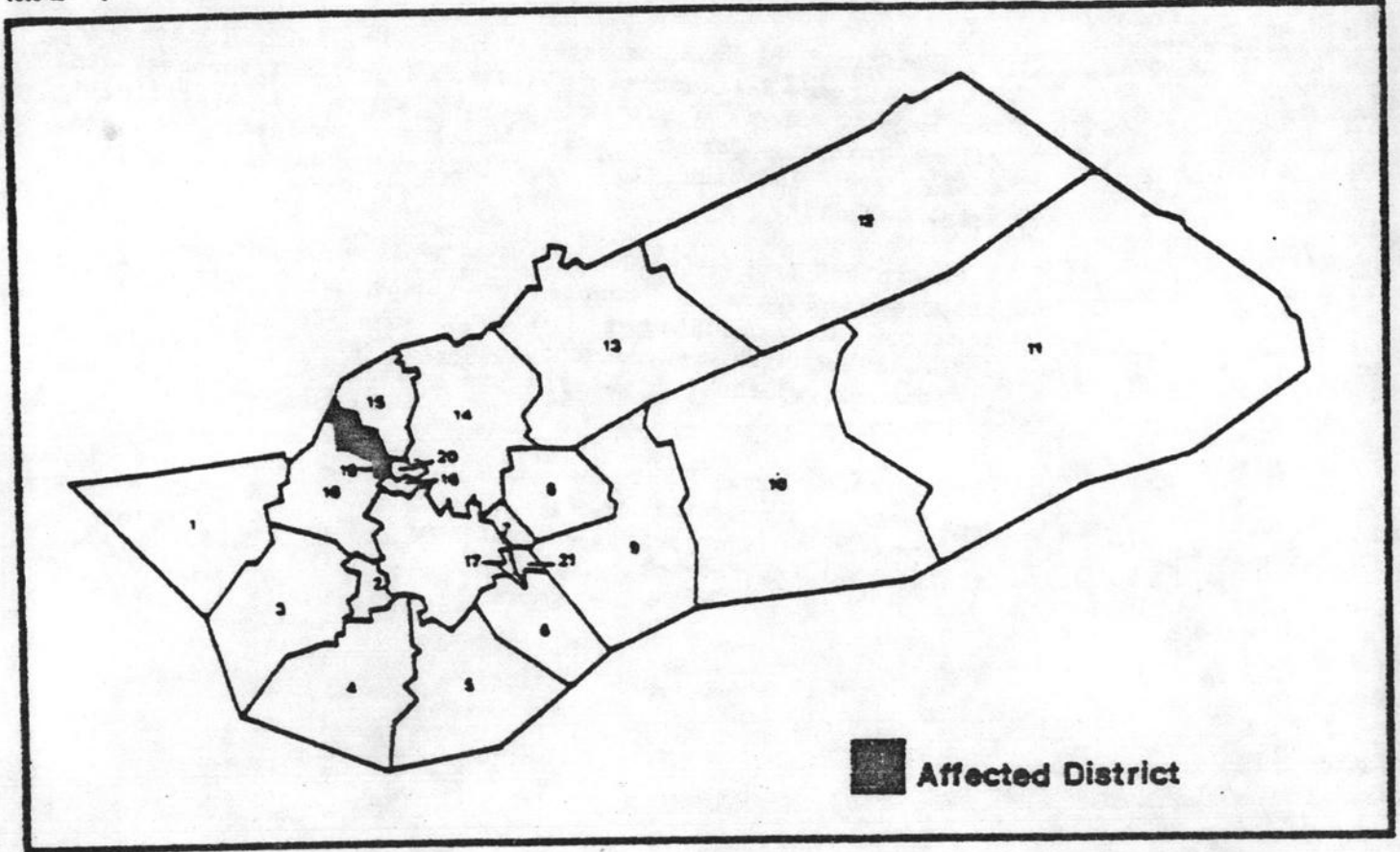


Analysis

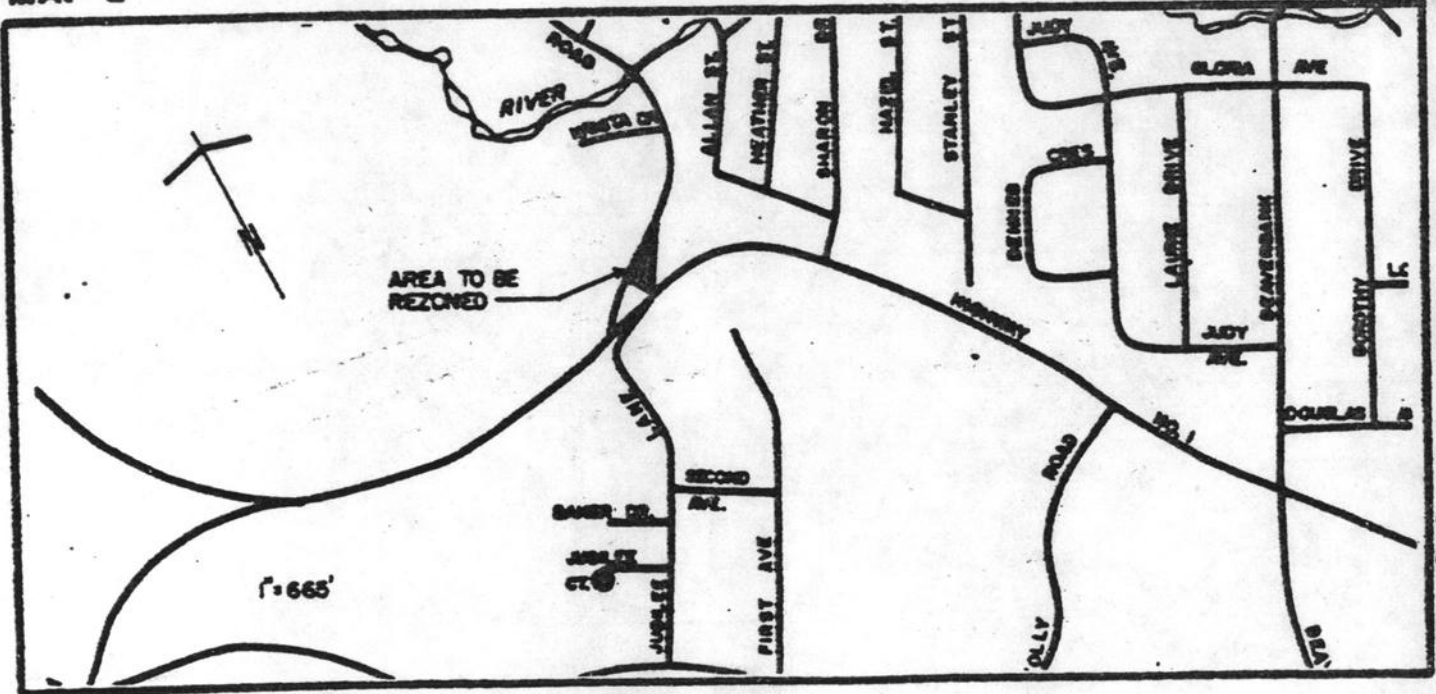
The municipal planning strategy for Sackville designates the lot as Urban Residential. This Designation supports the development of a variety of housing types and specifically allows rezoning for two unit dwellings provided that their scale and location is not inconsistent with existing neighbourhoods.

Although the area along Beaver Bank Cross Road adjacent to the proposed R-2 Zone is occupied by single unit dwellings, the location of a couple of two unit dwellings would not be inconsistent with the neighbourhood. Two unit dwellings are predominant south of Highway 1 and several face the proposed R-2 lots.

Furthermore, given that the existing C-2 Zone allows a range of general commercial uses, rezoning to an R-2 Zone will ensure more appropriate development in this primarily residential environment.



MAP 2



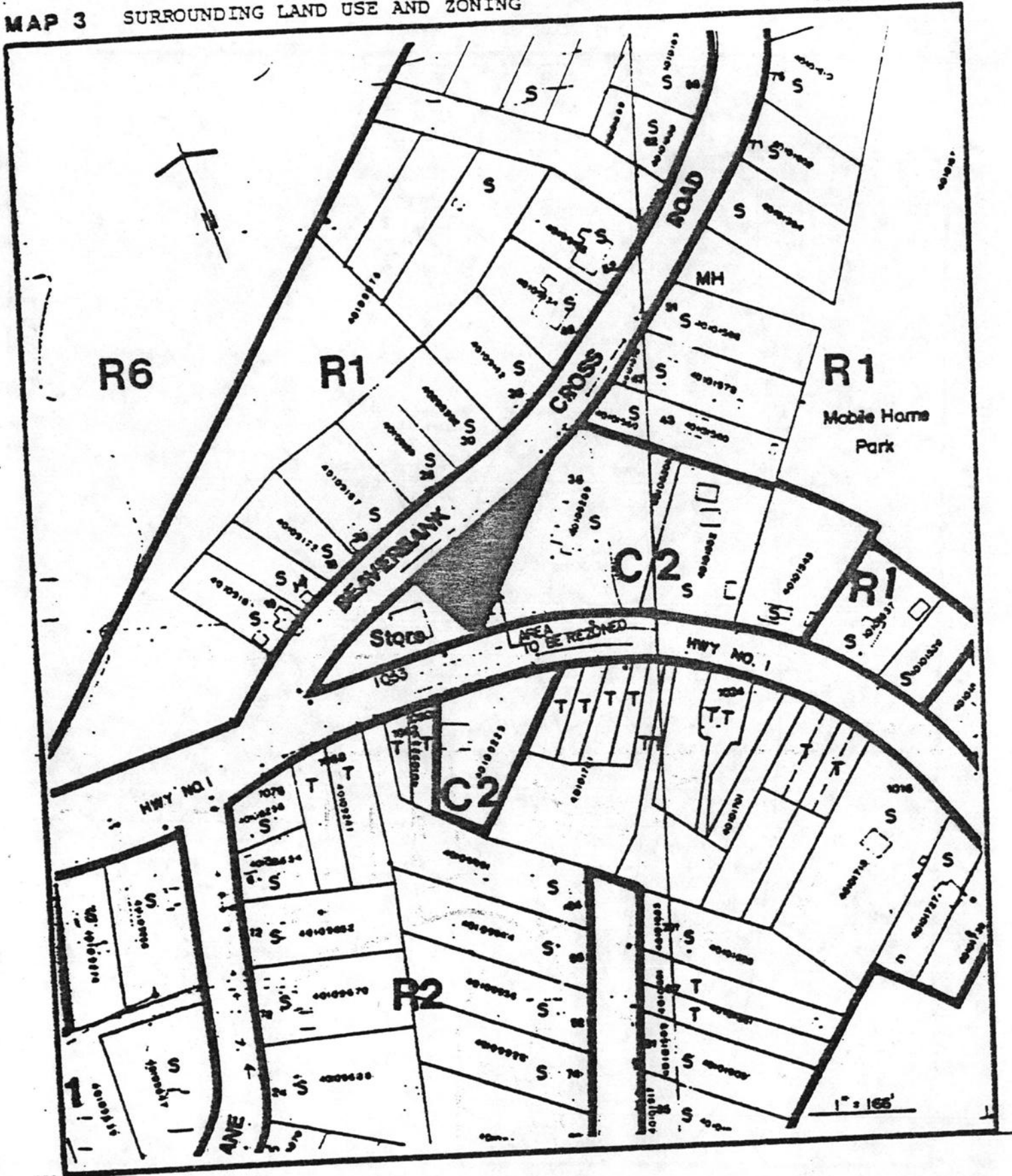
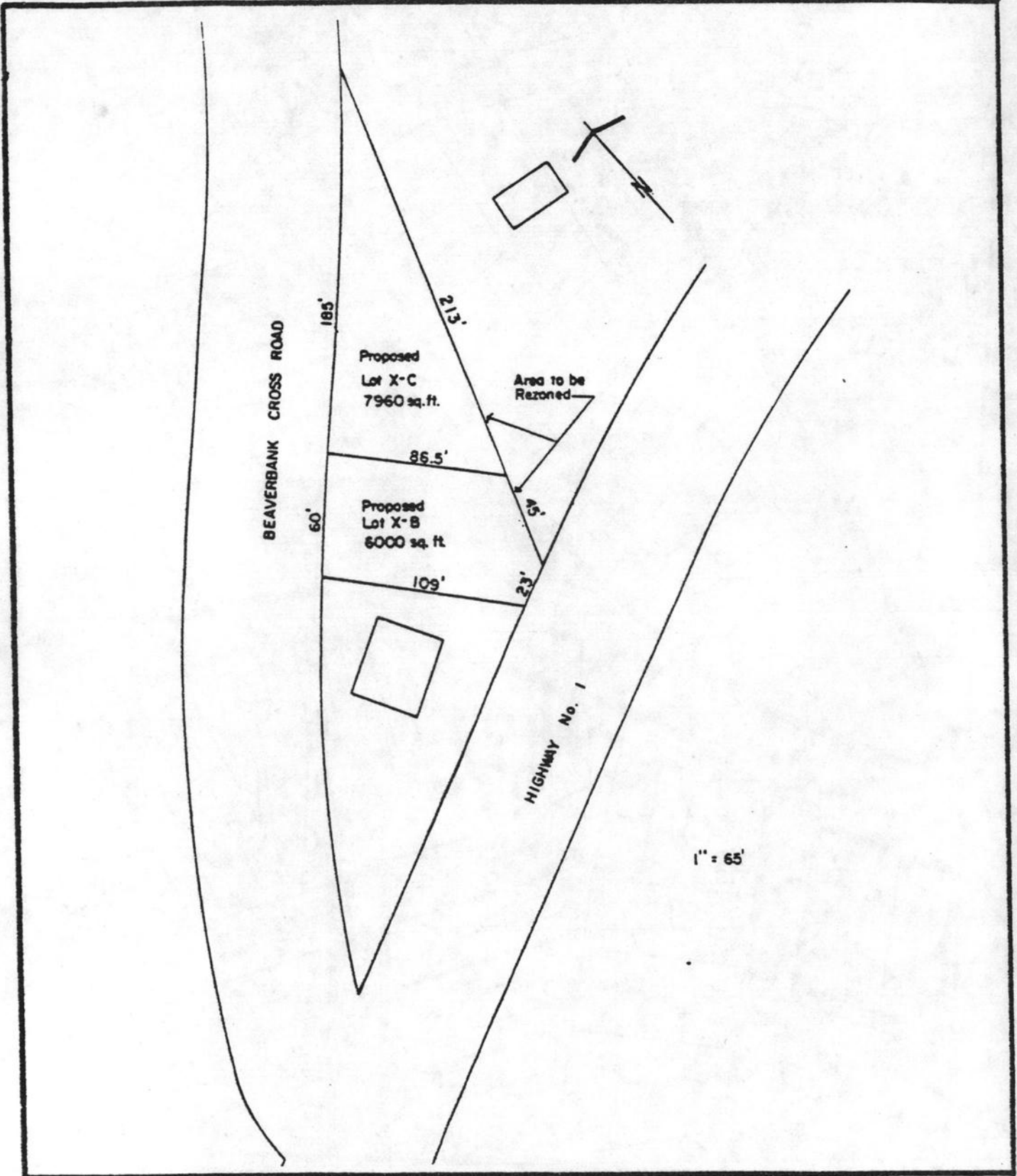


FIG. 1

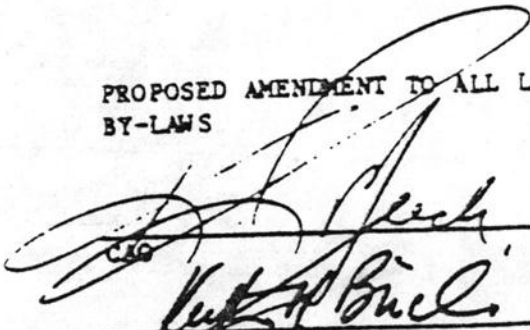


LPZ

TO: PLANNING ADVISORY COMMITTEE  
FROM: PLANNING AND DEVELOPMENT  
DATE: MARCH 3, 1986

PROPOSED AMENDMENT TO ALL LAND USE  
BY-LAWS

FILE NUMBERS: ZA-SA-13-86  
ZA-CH/W-14-86  
ZA-EP/CB-15-86  
ZA-TLB-16-86  
ZA-LM-17-86

  
CIG  
DIRECTOR

RECOMMENDATION

THAT THE ZONING BY-LAWS FOR SACKVILLE; COLE HARBOUR/ WESTPHAL;  
TIMBERLEA/LAKESIDE/BEECHVILLE; EASTERN PASSAGE/COW BAY; AND  
NORTH PRESTON, LAKE MAJOR, LAKE LOON/CHERRY BROOK AND EAST  
PRESTON BE AMENDED TO STANDARDIZE SETBACK REQUIREMENTS FOR  
ACCESSORY USES IN RESIDENTIAL ZONES.

BACKGROUND:

The land use by-laws for Sackville, Cole Harbour/ Westphal,  
Eastern Passage/Cow Bay, and Timberlea/Lakeside/Beechville  
make a distinction between accessory buildings and detached  
garages in the manner in which they may be located on lots in  
residential zones. Accessory structures, such as garden and  
tool sheds, must be set back 8 feet from a rear or side lot  
line. On the other hand, detached garages, which are  
accessory to dwellings, may be built within 4 feet of rear or  
side lot lines.

This distinction allows for flexibility in locating a detached  
garage on a lot. However, this same flexibility is not  
afforded other accessory buildings and therefore can create  
problems for property owners who wish to fully utilize  
backyards in serviced areas. This problem is especially  
pronounced for people living in two unit dwellings where yard  
space is often at a premium.

Therefore, a standard 4 foot setback is recommended to allow  
for more flexibility in locating other accessory buildings and  
structures. A 4 foot setback for accessory buildings meets  
the requirements of the National Building Code regarding fire  
separation distances.

The land use by-law for North Preston, Lake Major, Lake  
Loon/Cherry Brook and East Preston does not distinguish  
between detached garages and other accessory buildings and  
establishes a minimum 8 foot set back for both in residential  
zones. It is recommended that this by-law also be amended in  
order to maintain one standard in all land use by-laws in the  
Municipality.

MUNICIPALITY OF THE COUNTY OF HALIFAX  
A BY-LAW TO AMEND THE ZONING BY-LAW FOR

SACKVILLE

The Zoning By-law for Sackville is hereby amended as follows:

a) By deleting Section 4.13(a)(ii)(a) and by inserting the following:

4.13(a)(ii)(a) in any Residential Zone buildings or structures which are accessory to residential uses shall not be located closer to any side or rear lot line than four (4) feet (1.2m);

MUNICIPALITY OF THE COUNTY OF HALIFAX

A BY-LAW TO AMEND THE ZONING BY-LAW FOR

COLE HARBOUR/WESTPHAL

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

a) By deleting Section 4.13(a)(ii)(a) and by inserting the following:

4.13(a)(ii)(a) in any Residential Zone buildings or structures which are accessory to residential uses shall not be located closer to any side or rear lot line than four (4) feet (1.2m);

MUNICIPALITY OF THE COUNTY OF HALIFAX  
A BY-LAW TO AMEND THE ZONING BY-LAW FOR  
EASTERN PASSAGE/COW BAY

The Zoning By-law for Eastern Passage/Cow Bay is hereby amended as follows:

a) By deleting Section 4.13(a)(ii)(a) and by inserting the following:

4.13(a)(ii)(a) in any Residential Zone buildings or structures which are accessory to residential shall not be located closer to any side or rear lot line than four (4) feet (1.2m);



MUNICIPALITY OF THE COUNTY OF HALIFAX  
A BY-LAW TO AMEND THE ZONING BY-LAW FOR  
TIMBERLEA/LAKESIDE/BEECHVILLE

The Zoning By-law for Timberlea/Lakeside/Beechville is hereby amended as follows:

- a) By deleting Section 4.13(a)(ii)(a) and by inserting the following:

4.13(a)(ii)(a) in any Residential Zone buildings or structures which are accessory to residential uses shall not be located closer to any side or rear lot line than four (4) feet;

MUNICIPALITY OF THE COUNTY OF HALIFAX

A BY-LAW TO AMEND THE ZONING BY-LAW FOR

NORTH PRESTON, LAKE MAJOR, LAKE LOON/CHERRY BROOK AND EAST PRESTON

The Zoning By-law for North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston is hereby amended as follows:

a) By deleting Section 5.19 1 (b) and by inserting the following:

5.19 1 (b) Be located closer to the front lot line or side lot line than the minimum distance required by this By-law for the main building on the lot, or closer than eight (8) feet to the rear lot line in any zone, except that:

- (i) Notwithstanding the provisions of Table 8.4 in any Residential Zone buildings or structures which are accessory to residential uses shall not be located closer to any side or rear lot line than four (4) feet;
- (ii) common semi-detached garages may be centered on the mutual side lot line; and
- (iii) boat houses and boat docks may be built to the lot line when the line corresponds to the water's edge.

D19

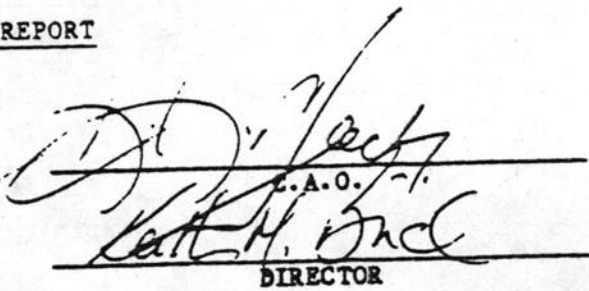
STAFF REPORT

TO: The Planning Advisory Committee

FROM: Dept. of Planning & Development

APPLICATION NO.: RA-24-12-86-18

DATE: March 10, 1986

  
L.A.O.  
L.H. Bird  
DIRECTOR

RECOMMENDATION

THAT THE REZONING OF PARCEL "A" OF THE UPLANDS PARK SUBDIVISION, LOCATED ON WOODLYN DRIVE IN THE VILLAGE OF UPLANDS PARK, FROM R-2 (TWO FAMILY DWELLING) ZONE TO R-4 (GENERAL RESIDENTIAL) ZONE, BE APPROVED BY MUNICIPAL COUNCIL.

Information

This is an application by the Municipality of the County of Halifax to rezone the property identified in Map 3 (p.4) to R-4 (General Residential) Zone. The Nova Scotia Department of Housing has expressed a direct interest in purchasing the property for a 15 unit senior citizen complex. Municipal Council has approved the sale of the property on the conditions that it be appropriately zoned and that an acceptable purchase price be met by the Department of Housing. The market value of the property is presently being determined by an independent appraiser.

Description

Area:	Approximately 2.6 acres.
Dimensions:	As illustrated by Map 3 (p.4).
Physical Features:	<ul style="list-style-type: none"><li>- Flat terrain.</li><li>- Heavily wooded with a mixture of hard and softwood trees.</li><li>- Central water and sewer services available.</li><li>- No visible signs of poor or impaired drainage.</li></ul>
Surrounding Land Uses & Zoning:	As illustrated by Map 3 (p.4).

ANALYSIS

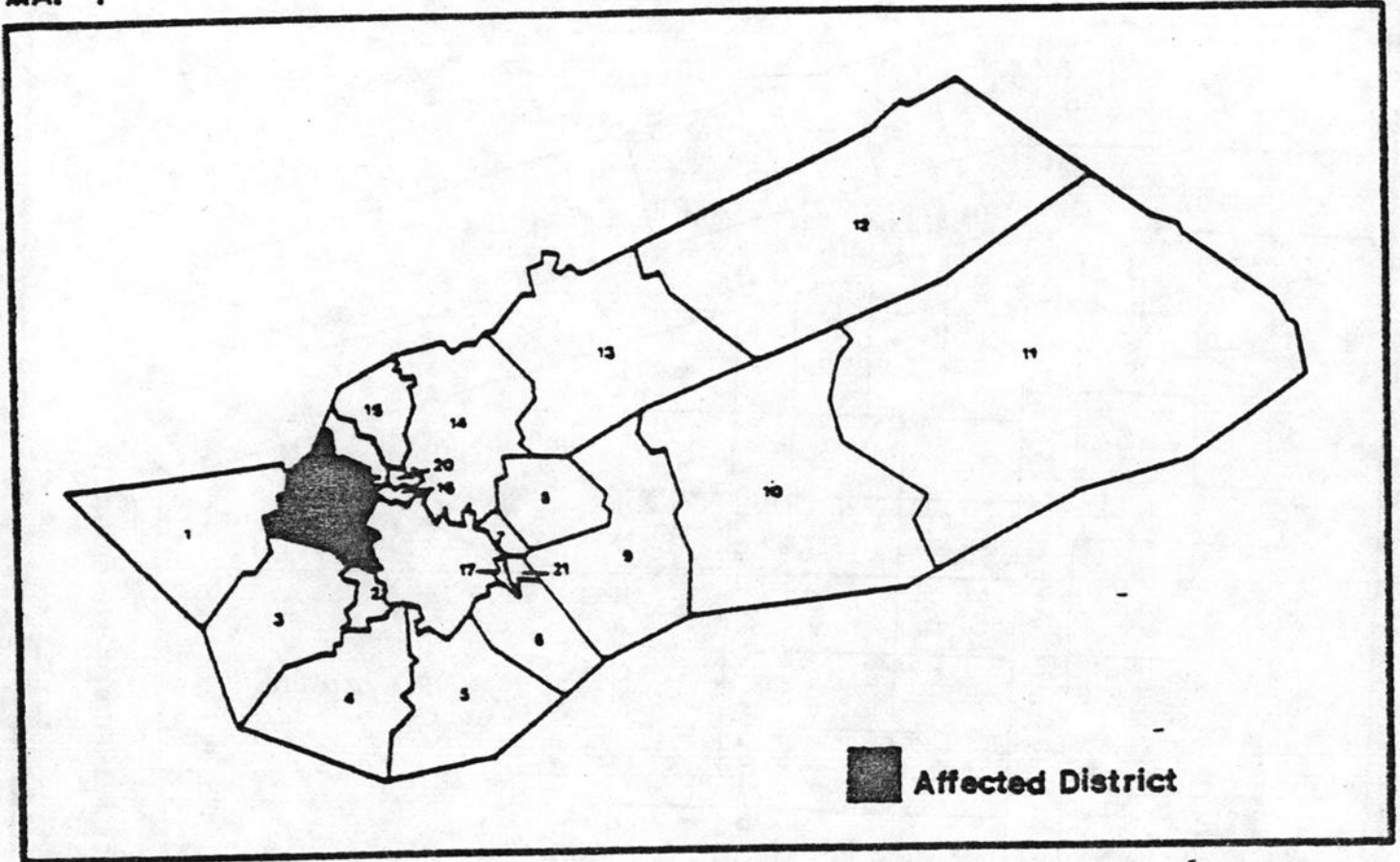
The property has been owned by the Municipality since 1961. While the plan of subdivision for the property indicates that it may have been donated as a possible school site, the Halifax County-Bedford District School Board has stated that it is unacceptable for such a use, based on its present site planning criteria.

The Department of Planning and Development recommends that the proposed rezoning be approved for a number of reasons. Firstly, the land has remained in an undeveloped state since its acquisition by the Municipality. Given that its sale to another public agency will facilitate the development of a much needed housing alternative, the rezoning is in keeping with municipal and provincial objectives concerning senior citizen housing.

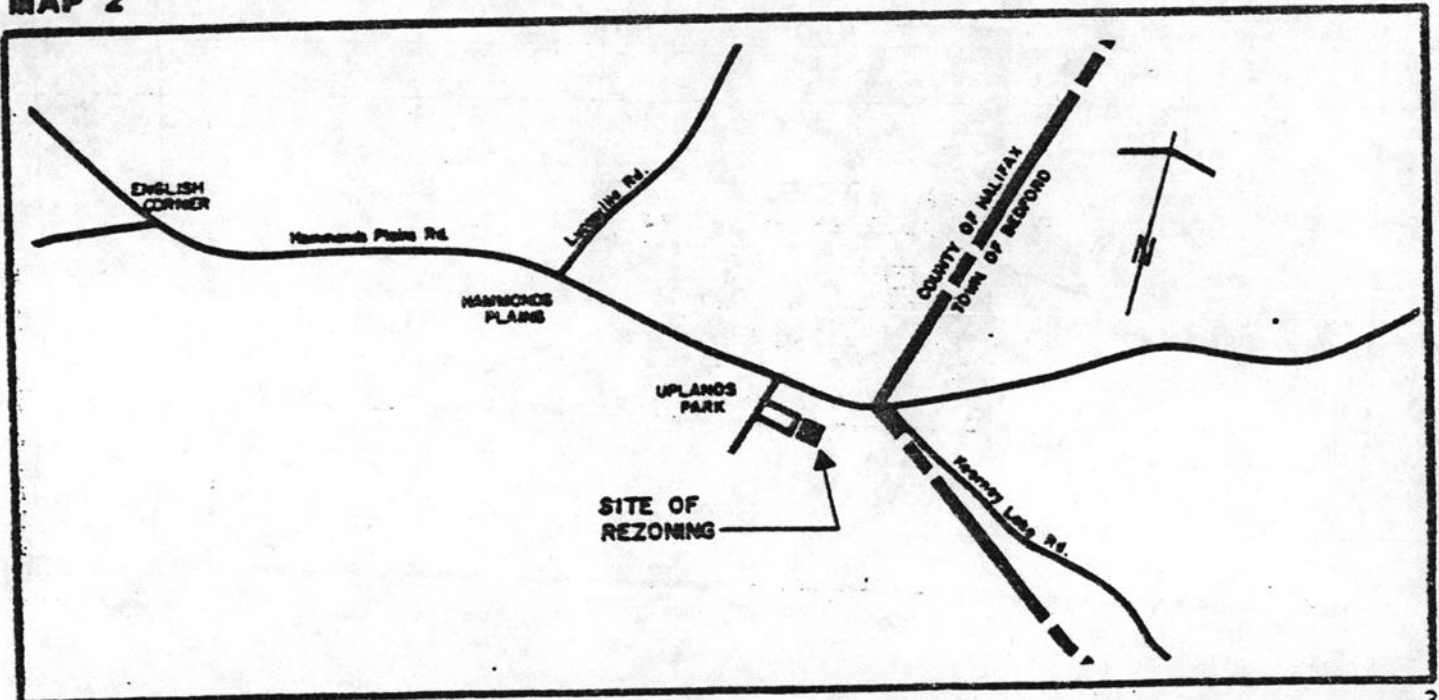
Secondly, the site's flat terrain will allow development to take place without extensive clearing or excavation. Therefore, the most significant natural features of the property can be maintained. The heavy vegetation will also serve to lessen the effect of the proposed development on adjacent land uses. Although the property does not abut any lots containing single unit dwellings, Council is encouraged to incorporate a screening and/or vegetation protection program into any purchase agreement.

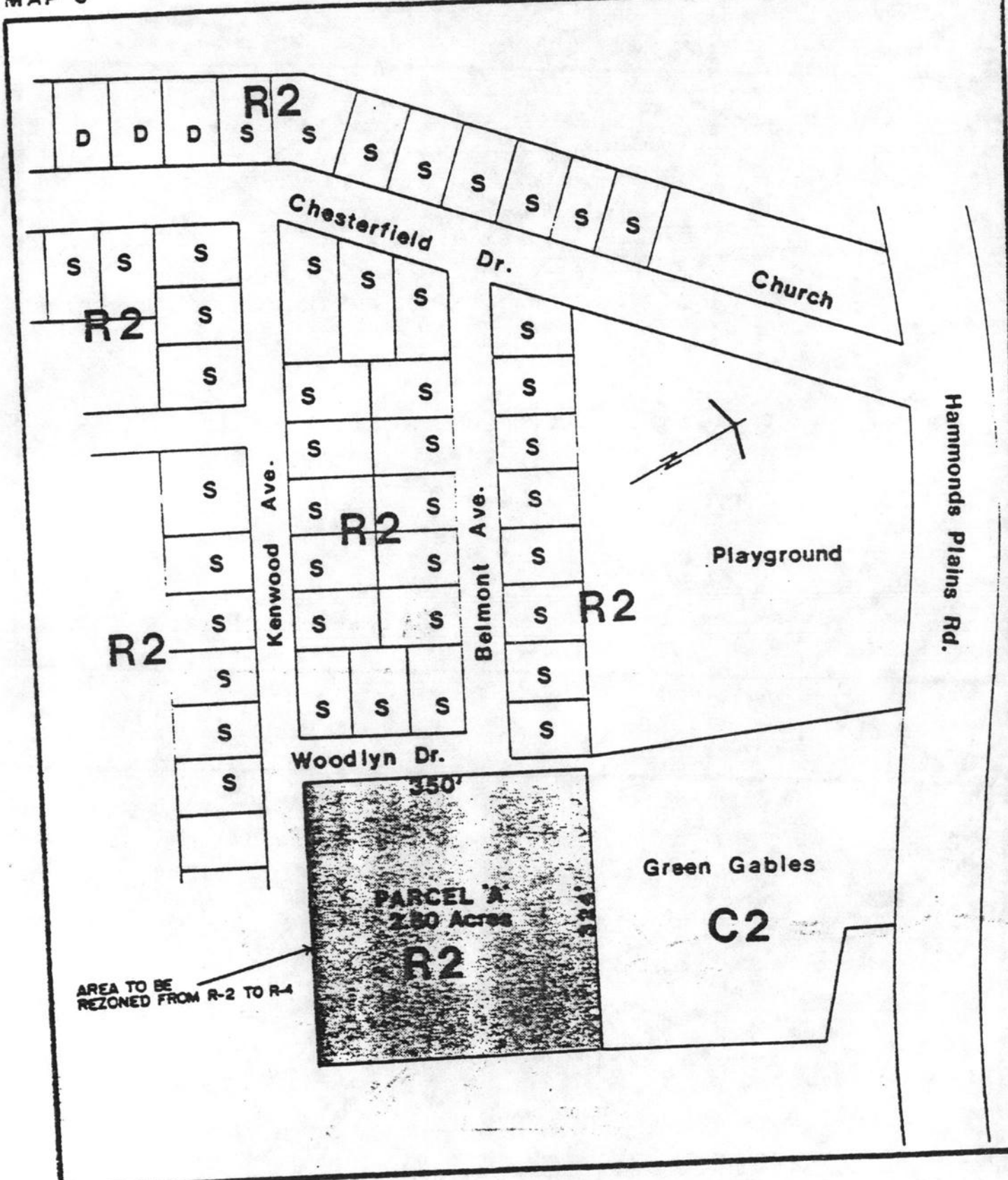
Finally, the technical aspects of the project are in keeping with municipal and provincial operating policies. Specifically, the Department of Engineering and Works has advised that central water and sewer services will be made available to the site. In addition, the property has sufficient road frontage along Woodlyn Drive to ensure safe vehicular ingress and egress.

MAP 1



MAP 2





COMMITTEE OF THE WHOLE  
SCHOOL BOARD BUDGET DISCUSSION

APRIL 22, 1986

PRESENT WERE: Warden MacKenzie  
Mayor Roberts  
Councillor Walker  
Councillor Poirier  
Councillor Fralick  
Councillor P. Baker  
Councillor C. Baker  
Councillor Deveaux  
Councillor DeRoche  
Councillor Adams  
Councillor Randall  
Councillor Bayers  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Councillor Merrigan  
Councillor MacKay  
Councillor McInroy  
Councillor Eisenhauer  
Councillor MacDonald  
Deputy Warden Wiseman  
Councillor Short, Town of Bedford  
Councillor Lugar, Town of Bedford  
Deputy Mayor Nolan, Town of Bedford  
Councillor Christie, Town of Bedford  
Councillor Kelly, Town of Bedford  
Councillor Roy, Town of Bedford

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer (Halifax County)  
Mr. D. English, Chief Administrative Officer (Town of Bedford)

SECRETARY: Glenda Higgins

-----

Warden MacKenzie called the meeting to order at 6:25 p.m.

Mr. Lloyd Gillis, Chief Executive Officer for the School Board, began by making a presentation to the two Councils.

First, he stated that additional revenue had become available to the school board from the Provincial Department of Education. He explained it is \$183,000 which was not available previously because the County did not offer summer school. However, a change in provincial policy now allowed the Halifax County-Bedford District School Board access to this money.

April 22, 1986

Second, he advised that after three months into the budget year, there are two areas of shortfalls. The substitute teachers account appears that it will end the year with a \$250,000 deficit because 5.2 percent of the teaching body was absent during the first three months. The annual average is only 3.2 percent. A large amount of illness among both teaching staff and students accounts for the large amount of money spent on substitute teachers. The snow removal account has also been overspent by \$69,000 due to the large amount of snow removal required earlier in the year.

Third, a study done grade by grade, school by school determined a need for 25 more teaching positions. Already, music classes, library staff, and administration staff have been cut to allow for teachers in other areas.

Mr. Gillis made a final comment about the School Board's decision not to participate in extra curricular activities.

Warden MacKenzie next read a letter addressed to Councillor Walker with regard to the School Board budget. He then advised that an 80 percent vote was necessary in order for a motion to pass. This meant a requirement for 22 positive votes.

Mayor Roberts next made presentation. He began by reading a portion of a letter from the Chairman of the School Board indicating that the present level of service is what the public wants. Councillor Reid commented that the letter refers to service and not funding. There was a deficit last year, and there will be a larger one this year if the present level of service is to be maintained on the same budget. He suggested there should be a per capita cost for excess educational costs.

Mayor Roberts next introduced the "Robert's Formula" - a new formula that the the Halifax County-Bedford District School Board budget could be based annually. He stated that excess contributions to the District School Board should be predetermined by the Municipal Units through an acceptable rate based on the annual operating expenditures per student. Utilizing the Robert's Formula and using 1985 as the base year, the annual operating expenditure per student would be held to an increase not to exceed the Consumer Price Index for the metro area, which is slightly higher than the Consumer Price Index for Canada.

Mayor Roberts next went through the Robert's Formula and the manner in which it is applied to School Board figures.

Councillor Reid asked if it is the proposal to have this year's budget based on the Robert's Formula. He suggested that this not be done this year because the School Board has never approved of approaching the two Municipal units on the basis of the report as presented by Mayor Roberts. He suggested that a committee be formed with representation from both Councils and the School Board to work out a formula acceptable to everybody. Any formula presented tonight will not be able to be discussed fully; it should be studied harder before any rash decisions are made.



April 22, 1986

Mayor Roberts stated that his formula is a starting point. It recognizes increases in costs for everything, including student enrollment. The Robert's Formula applied this year comes close to the School Board Budget figures as presented, so the formula must not be far off. It would make it much easier for the two Councils to work together on the School Board budget annually.

Councillor Reid agreed that a formula would make this annual ritual much simpler. However, one presented tonight cannot be used for this year's budget.

Councillor Merrigan commented that this formula should start with the 1985 cost and then have the deficit added. A formula should be used that would not allow for a deficit.

Mayor Roberts replied that the deficit is there and it must be dealt with. It is a limited deficit.

Councillor Roy stated that he agreed with the formula although some matters have not been included, such as extra bus purchases and bus loan repayments. He stated that a formula is the answer, and it must be applied very carefully. Therefore, tonight is not the time to apply this new formula to this year's budget.

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

"THAT the two Councils approve the Halifax County - Bedford District School Board budget as presented on March 25, 1986, with the addition of the \$183,000 that has been made available from the province."

Councillor Deveaux expressed agreement with Councillor Reid and Councillor Roy. He stated these two Councils must try to find a solution to this annual problem, but it is not something that can be decided upon tonight. It will require much more consideration.

Councillor Lugar stated that these two Council's do not have the legal right to approve or dispute the budget. Therefore, the motion on the floor should read:

"THAT the two Councils approve of the excess funding required from the two Municipal units to support the approved 1986 Halifax County - Bedford District School Board budget."

Mr. Meech stated that he has no difficulties with the formula, although with respect to the annual Consumer Price Index increase, perhaps this should refer to the lesser of the annual increase to the Consumer Price Index or the annual increase to the general funding formula by the Department of Education because teachers may only receive a salary increase of 1 percent in a year that the inflation rate may be 4 or 5 percent. Other than this one factor, however, this formula falls much in line with what everybody has been wanting for a long time.

April 22, 1986

After some discussion, Councillor DeRoche asked what the increase to the Municipality would be after the School Board excess has been reached. Mr. Wilson advised it would be 7 or 8 cents on the total of last year's base rate.

Councillor Roy suggested that the motion be changed to read:

"THAT the two Councils approve an additional funding to the School Board for the year 1986 \$6,160,875 as additional revenue."

The mover and the seconder agreed to the change to the motion.

Mayor Roberts stated it is not the intent of the formula to reduce the additional revenue.

Upon questioning from Councillor Kelly, Councillor Christie informed that the Bedford increase would be approximately \$52,000 over and above what is in the budget now.

Councillor MacDonald suggested that the matter of the Robert's Formula be deferred pending each of the Municipality's studying their own budgets.

MOTION DEFEATED.

10 - For  
17 - Against

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

"THAT the budget excess as required be decreased by \$183,000 and that the two Councils approve the amount as presented by the School Board - a total of \$5,977,875."

Councillor McInroy commented that the two issues at hand should be separated. The formula puts the Consumer Price Index increase in the budget and it could provide more. He felt such formulas should be investigated further.

Councillor Deveaux stated that Councillors have to be well aware of what the residents will be charged. The student population is increasing in Halifax County, and with those increases come increased costs. More teachers are required and the majority of the money from the province is already taken up by teachers' salaries. Education is the most important commodity and people will be in trouble if cuts are made to the budget. He stated he would vote in favour of the motion, and a guide should be set as to what can be expected. This would provide an easier manner to deal with the School Board budget.

After further discussion, Councillor Reid stated he agreed with Councillor Merrigan in that a formula would make this situation much easier annually. However, it cannot be decided upon tonight. He stated the motion on the floor is basically approval of the first

April 22, 1986

presentation by the School Board and additional costs have been identified in the interim. He stated that the School Board can live with this budget, but they will not survive with less.

Warden MacKenzie suggested there be another meeting to discuss this formula and any other that may be brought forth.

MOTION CARRIED.

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

"THAT the two Councils meet in a private session before May 31, 1986 to discuss the establishment of a formula for excess budget costs and further that a committee be appointed to develop a formula for excess funding by the end of September, 1986."  
MOTION CARRIED.

There being no further business, the meeting adjourned.

MINUTES & REPORTS

OF THE

FIRST YEAR MEETINGS

OF THE

FORTY - SECOND COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

MAY COUNCIL SESSION

TUESDAY, MAY 6 and 20, 1986

&

COMMITTEE OF THE WHOLE

MAY 1 and 26, 1986

&

PUBLIC HEARINGS

MAY 5 and 26, 1986

May Council Session - 1986

I N D E X

Acadia School -----	18-19
Chief Building Inspectors Report -----	8-9 & 40
Capital Program -----	20-21
Cole Harbour Place -----	28-32
Conferences, Courses & Seminars - Policy -----	44-46
District Capital Grant -----	9 & 47
Housing Authorities -----	2-4
Lakeview School -----	43-44
Motion - Appointment of Recording Secretary -----	1 & 27
Motion - Approval of Minutes -----	1-2 & 27-28
Motion - Housing Authorities -----	2-4
Motion - Surplus School -----	4
Motion - Letters and Correspondence -----	4-5 & 40-41
Motion - Canada Post Corporation -----	4-5
Motion - Plebescite re Liquor License -----	5-6
Motion - Public Hearings -----	6-7 & 41-43
Motion - Undersized Lot Legislation -----	8 & 33
Motion - Chief Building Inspectors Report -----	8-9 & 40
Motion - District Capital Grant -----	9 & 47
Motion - Parkland Fund Grant -----	9
Motion - Vehicle Reserve Fund -----	9
Motion - Temporary Borrowing Resolutions -----	10
Motion - Street Lighting Report -----	10-17
Motion - Delegates U.N.S.M. Regional Meeting -----	17
Motion - Social Services Dialogue -----	17
Motion - Acadia School -----	18-19
Motion - Plebescite, Lakeview/Windsor Jct./ Fall River Fire Department -----	19
Motion - Capital Program -----	20-21
Motion - Special Meeting re Annexations and/or Incorporations -----	21-22
Motion - Disposal of Sewage Waste -----	22-24
Motion - Tax and Area Rates -----	24-26
Motion - Adjournment -----	26 & 52
Motion - Cole Harbour Place -----	28-32
Motion - Enriched Housing, Ocean View Manor -----	33-35
Motion - Sale of Property, Musquodoboit Harbour -----	35-37
Motion - Uplands Park Sewage Treatment Plant -----	38-39
Motion - Census Proclamation -----	40
Motion - Twenty Lot Limitation -----	43
Motion - Lakeview School -----	43-44
Motion - Policy re Conferences, Course & Seminars -----	44-46
Motion - Pension Increase -----	46-47
Motion - Loan re Westphal/Cole Harbour and District Fire Station -----	47-48
Motion - Metropolitan Authority Report -----	49-50
Motion - Parkland District #4 -----	50-51
Motion - Hayes Garden Herring Cove -----	51

Public Hearings -----	6-7 & 41-43
Parkland Fund Grant -----	9
Street Lighting Report -----	10-17
Temporary Borrowing Resolutions -----	10
Undersized Lot Legislation -----	8 & 33
Uplands Park Sewage Treatment Plant -----	38-39
Vehicle Reserve Fund -----	9
Westphal/Cole Harbour & District Fire Station - Loan -----	47-48

COMMITTEE OF THE WHOLE

MAY 1, 1986

PRESENT WERE: Warden MacKenzie  
Councillor Walker  
Councillor Poirier  
Councillor Fralick  
Councillor P. Baker  
Councillor C. Baker  
Councillor Deveaux  
Councillor Randall  
Councillor Bayers  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Councillor Merrigan  
Councillor MacKay  
Councillor McInroy  
Councillor MacDonald  
Deputy Warden Wiseman  
Councillor Mont

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer  
Mr. K. Wilson, Director of Finance

SECRETARY: Glenda Higgins

-----

Warden MacKenzie called the meeting to order at 1:45 p.m.

Councillor Bayers expressed concern about passing resolutions at the budget discussion meetings. He was of the understanding that a resolution was passed at the last meeting maintaining support for the Main Street Program. Mr. Meech clarified that Council did agree to maintain support for this program, and the co-ordinator was advised of this. However, there were no resolutions entertained; only agreement from Members of Council.

Mr. Wilson began the budget discussion by informing Members of Council that approval of the School Board budget and the final assessment figures have changed the final budget. He advised that the Province has decided to exempt the Atlantic Winter Fair buildings from the assessment, which would cause the tax rate to rise. He stated that negotiations are still going on with the Province to have the Atlantic Winter Fair buildings included in the assessment.

Councillor P. Baker expressed concern over the Province making the decision to have these buildings tax exempt. Mr. Meech stated that a Private Members Bill or other specific legislation would be required in order for this property to be tax exempt. He felt this could not be done, and suggested the matter be looked into further.

Mr. Wilson continued stating that Council must decide what levels of service are desired in the various areas of the County. He suggested level 3 as outlined on page 1-0, which was circulated. He next suggested that the matters of grants to the Dartmouth General Hospital and the Cobequid Multi-Service Centre be dealt with. Mr. Meech advised that the Dartmouth General Hospital has requested a grant of \$125,000 for a period of three years, and the Cobequid Multi-Service Centre has requested a grant of \$150,000 over a three year period (\$50,000 per year for three years). He stated there is no provision in the budget for these items.

Councillor MacKay requested that \$147,000 of the Industrial Commission budget for consulting fees (as per Section 28-11 of the budget) be capitalized again this year for the final time. Mr. Meech stated that this can be done because taxes will not be collected on these properties until January, 1987.

Councillor Members AGREED :

"THAT the total of \$147,000 (as per Section 28-11 of the budget) be capitalized for the fiscal year 1986."

Councillor Reid clarified that this would delete \$147,000 from the operating budget for the Municipality for 1986.

With regard to the request from the Dartmouth General Hospital, Mr. Meech advised they have a formula with a requirement for \$500,000 per year. The City of Dartmouth have suggested they will absorb 75 percent if the County will absorb the other 25 percent.

Councillor Deveaux asked for figures as to how many patients from the County this hospital serves. Mr. Wilson advised that approximately 33 percent of patients at the Dartmouth General Hospital are residents of the County, and approximately 46 percent of the employees at the hospital are County residents.

Councillor Poirier expressed opposition stating that residents on the Halifax side of the bridge use provincial hospitals. The Dartmouth General Hospital wants to remain private, and the County should not be asked to support this. Councillor Poirier felt this money could be better spent elsewhere.

Mr. Meech advised this hospital is not all that different from other hospitals in the province. Many community hospitals are private - not subsidized by the government.

Councillor Deveaux stated that this hospital caters to many people from the County, both as patients and employees. He suggested:

"THAT \$60,000 per year for three years be granted to the Dartmouth General Hospital."

Members of Council DID NOT AGREE to this suggestion.



Councillor Reid expressed opposition stating that ten years ago there were three hospitals built and the residents were asked to support 20 percent of the funding. The residents applied to the Municipality for funding of the portion of this 20 percent. The Municipality gave a token donation of 10 percent of the 20 percent requested. The residents raised the remainder of the money with a 15 cent increase in their tax rate. He felt in this instance a token donation should be made, but he expressed opposition to committing large sums of money to a hospital that only serves a portion of the County. He stated it is not the responsibility of the County to pay for the hospitals. It is a responsibility of the Province, and everybody already supports this by paying 10 percent Provincial tax on almost everything they purchase.

Councillor Walker felt the Municipality should not subsidize this hospital. He agreed that a token donation would be sufficient.

Councillor McInroy stated that the issue is whether or not this is a user-pay situation. Thirty percent of the patients at this hospital are County residents. Residents of the Cole Harbour area already pay \$1.73 in taxes and those from the City of Dartmouth only pay \$1.67. He stated the rate should not be raised, but if the facility is going to be used by County residents, they should help to pay for it in some manner.

Councillor Mont advised he would like to see this hospital provincially funded, but they do not want this. The County should in some way show support for this facility, but he felt the Municipality could not afford \$125,000 per year.

Councillor MacDonald asked where the money for this support is coming from. Mr. Wilson advised it will come out of the general tax rate. Councillor MacDonald suggested that the Capital Grants be used for this. Mr. Wilson advised that these grants can only be used in certain areas. However, there is no money left in this fund anyway.

Councillor MacDonald stated he would support \$50,000 for the Cobequid Multi-Service Centre because it will increase medical service to the area. Also, to be fair, he stated he would support \$50,000 for the Dartmouth General Hospital.

Councillor Lichter agreed with Councillor Reid in that a token donation would be sufficient. He felt anything beyond this would only add up to extra billing.

Warden MacKenzie felt this should be a provincial responsibility. However, since it is not, and since the County use the facilities quite regularly, he felt the Municipality should support the Dartmouth General Hospital in some form.

Councillor Merrigan questioned what these donations will do to the tax rate. He felt money should not be given out until it is determined what the Municipality has.

Councillor P. Baker expressed concern that Councillors try to make all the cuts in election year. In other years, however, money is handed out quite freely. He felt grants should be cut to a minimum in order to keep the tax rate down - for the benefit of the area residents. He stated that the absolutely necessary items should be considered first, and if there is money left over, it could then be given as donations to others.

Councillor Snow felt the residents would benefit more by paying for a service than they would by keeping the tax rate down. They need the services.

Councillor Walker stated that it must be determined whether or not the County wants to get involved in health care services.

Councillor MacDonald recommended:

"THAT \$50,000 be given to the Dartmouth General Hospital and \$50,000 be given to the Cobequid Multi-Service Centre."

Members of Council **DID NOT AGREE** to this recommendation.

Councillor MacDonald recommended:

"THAT \$50,000 be given to the Cobequid Multi-Service Centre."

Members of Council **DID NOT AGREE** to this recommendation.

Councillor Mont recommended:

"THAT \$50,000 be given to the Dartmouth General Hospital in 1986 only."

Members of Council **AGREED** to this recommendation.

Councillor MacKay recommended:

"THAT \$40,000 be given to the Cobequid Multi-Service Center in 1986 only."

Members of Council **AGREED** to this recommendation.

Councillor Bayers asked about operating grants from the Province. Mr. Wilson advised he had budgeted for \$724,000 in operating grants. However, the Province reduced this funding to \$686,000 this year. Councillor Bayers stated he would not support the budget in any form as presented until the operating grants for fire protection and street lighting are distributed more accurately by Council.

Councillor Mont suggested that all grants should be dealt with before the budget is decided upon. Mr. Wilson advised that the Executive Committee has always been given the authority to give out grants to organizations. However, this year they decided the grants to the Dartmouth General Hospital and the Cobequid Multi-Service Centre were too large, and they should be dealt with separately by Council as a whole.

After further discussion, it was AGREED that it is not imperative to discuss grants to organizations today, but they should be discussed.

Mr. Wilson advised that the changes as discussed have reduced the net amount required by \$125,000, which is approximately one-half a cent. He suggested Option 3 of page 1-0 of the budget be considered. With the one-half cent reduction, the rate would only increase by 85 cents. With other major adjustments, the rate could be brought down to 84 cents. This would include increasing revenue by \$200,000.

Mr. Meech advised that the rate could be cut further by decreasing the amount needed for renovations to the Egan Building.

Members of Council AGREED to go with Option 3, and have staff work at reducing the rate to 83 cents.

Councillor MacKay clarified that this information would be presented at the Council Session of May 6, 1986 with the intention of setting the tax rate. He felt the area rate should also be sent out at that time.

#### ADJOURNMENT

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

"THAT this meeting of the Committee of the Whole adjourn."  
MOTION CARRIED.

PUBLIC HEARING

MAY 5, 1986

PRESENT WERE: Warden MacKenzie  
Councillor Walker  
Councillor Poirier  
Councillor Fralick  
Councillor C. Baker  
Councillor Deveaux  
Councillor DeRoche  
Councillor Adams  
Councillor Randall  
Councillor Bayers  
Councillor Reid  
Councillor Lichter  
Councillor Snow  
Councillor Merrigan  
Councillor MacKay  
Councillor McInroy  
Councillor Eisenhauer

ALSO PRESENT: Mr. G.J. Kelly, Municipal Clerk  
Mr. R.G. Cragg, Municipal Solicitor  
Mr. B. Wishart  
Mr. J.M. Hanusiak  
Mr. M. Purcell

SECRETARY: Glenda Higgins

-----  
Warden MacKenzie called the Public Hearing to order at 7 p.m. with the Lord's Prayer.

Mr. Kelly called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Glenda Higgins be appointed as Recording Secretary."  
MOTION CARRIED.

APPLICATION NO. RA-TLB-78A-85-02 - REZONING OF LOT 12B OF THE LANDS OF EDNA P. COX, LOCATED ON THE ST. MARGARET'S BAY ROAD AT LAKESIDE FROM R-1 (SINGLE UNIT DWELLING) ZONE TO R-4 (MULTI-UNIT DWELLING) ZONE

Mr. Wishart outlined the staff report from the Department of Planning and Development dated February 19, 1986. He advised the purpose of the request is to permit the construction of a multi-unit dwelling. The site is approximately two acres in area, and although the applicant has not determined the exact number of units that will be accommodated

within the building, the Land-Use By-law for Timberlea/Lakeside/Beechville would limit the potential number of units in the building to 57. He further advised that located on the Halifax side of the property in question is the St. Luke's Anglican Church, and a single unit dwelling is situated on the other side. Across the street lands are occupied by either single unit dwellings or they are vacant. Immediately behind the property, there is a low density residential neighbourhood. Mr. Goshen has indicated that he will provide larger than required setbacks from this neighbourhood, and the configuration of the lot will provide additional screening. There will be no additional traffic in this subdivision as a result of the proposed apartment building because it will front on the St. Margaret's Bay Road. The Department of Transportation, the Department of Engineering and Works, and the Halifax County-Bedford District School Board have expressed no difficulty in accomodating this proposal.

#### QUESTIONS FROM COUNCIL

Councillor DeRoche clarified that the applicant has not submitted an actual plan for development of the lot in question; therefore, everything is from a planning perspective and a projection on part of staff. Mr. Wishart agreed.

Councillor McInroy asked if there is anything in the plan that suggests that this land use is approved for this particular site. Mr. Wishart advised that the plan suggests that apartment buildings should be located along the main highway - the St. Margaret's Bay Road. It is also in the residential designation which supports this type of development subject to a rezoning.

#### SPEAKERS IN FAVOUR OF THIS APPLICATION

None.

#### SPEAKERS IN OPPOSITION TO THIS APPLICATION

None.

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

"THAT Application No. RA-TLB-78A-85-02 - rezoning of the Lands of Edna P. Cox, located on the St. Margaret's Bay Road at Lakeside from R-1 (Single Unit Dwelling) Zone to R-4 (Multi-Unit Dwelling) Zone be approved by Council."  
MOTION CARRIED UNANIMOUSLY

APPLICATION NO. RA-TLB-78B-85-02 - REZONING OF THE LANDS OF DOROTHY BLANCHE BOYLAN, LOCATED ON THE ST. MARGARET'S BAY ROAD AT LAKESIDE FROM R-1 (SINGLE UNIT DWELLING) ZONE AND C-2 (GENERAL BUSINESS) ZONE TO R-4 (MULTI-UNIT DWELLING) ZONE

Mr. Wishart outlined the report from staff dated February 19, 1986. He advised that the applicant has requested that approximately 4.3 acres of land be rezoned to permit the construction of three multi-unit apartment buildings. If this application is successful, the applicant has advised that he will subdivide the approximate 4.3 acre parcel into three separate lots and place one apartment building on each lot. The exact number of units in each building has not been determined by the developer, but it will be somewhat dependent upon the actual lot size of each of the three lots once they are subdivided. The total number of apartment units that the parcel will allow is in the range of 120. Mr. Wishart further advised that this parcel is located within the residential designation which supports multi-unit development through the rezoning process. A very small portion of the parcel is located in the commercial designation, which does not directly support the construction of apartment buildings. However, the planning strategy states "that a zone which is permitted in one designation may be applied to an adjacent in an abutting designation provided that all other attentions of the strategy and by-law are met." In this situation there is a comprehensive development proposal for a large parcel of land which meets the general criteria of the plan. Mr. Wishart went on to say that the site is located in an area which has a variety of land-uses including a school, commercial uses, a post office, recreation areas, and a number of residential uses in the immediate area. Therefore, the proposal should be accomodated without seriously affecting surrounding land-uses. The applicant has stated that he plans to subdivide this property into three separate lots which would make the buildings more attractive, as opposed to having one large building on one lot. The Department of Transporation, the Department of Engineering and Works, and the Halifax County-Bedford District School Board have all given approval for this proposal. Mr. Wishart advised that the Department of Planning and Development have recommended approval of this application.

QUESTIONS FROM COUNCIL

Councillor DeRoche asked if this property were developed as one single parcel, how many apartment units could be accomodated. Mr. Wishart advised approximately 121 units. Councillor DeRoche next asked if this property were subdivided to three properties, how many units would be permitted. Mr. Wishart advised that subdividing this property would reduce the maximum number of units by approximately three units. The exact size of the lot depends on the final subdivision plan, but it is in the range of 120. Councillor DeRoche asked what configuration there is for access to this property. Mr. Wishart advised the present plan shows three separate accesses onto the highway. Councillor DeRoche asked what protection is provided for the lake to the rear of the

property in question. Mr. Wishart advised that plan as submitted shows the buildings so that protection will simply be a buffer between the buildings and the lake. There will hopefully be no large amounts of run-off of water from the properties to erode any of the natural vegetation there now or to pollute the lake in any way. When the proposal is submitted in final form, it will be subject to review by the Storm Water Engineer for the County.

SPEAKERS IN FAVOUR OF THIS APPLICATION

None.

SPEAKERS IN OPPOSITION TO THIS APPLICATION

None.

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

"THAT the rezoning of the lands of Dorothy Blanche Boylan (Application No. RA-TLB-78B-85-02) located on the St. Margaret's Bay Road at Lakeside from R-1 (Single Unit Dwelling) Zone and C-2 (General Business) Zone to R-4 (Multi-Unit Dwelling) Zone be approved by Council."

MOTION CARRIED UNANIMOUSLY

APPLICATION NO. RA-SA-01-86-16 - TO REZONE A PORTION OF LOT YA8AR-2AXC OF THE LANDS OF OEL LIMITED AND THE LANDS OF OAKDENE ESTATES LIMITED, LOWER SACKVILLE FROM R-1 (SINGLE UNIT DWELLING) ZONE TO R-2 (TWO UNIT DWELLING) ZONE

Mr. Hanusiak addressed the staff report dated February 25, 1986. He advised this application is for land located off the corner of Florence Street and Sackville Drive at Lower Sackville. He advised that this application has been advertised in accordance with the Planning Act, and to date he has not received any correspondence either in favour of or opposed to this application. Mr. Kelly also advised he had received no correspondence respecting the application.

Mr. Hanusiak further advised that the property is approximately four acres in size, and it is the applicant's intention to subdivide the property into 14 lots. When this report was submitted to the Planning Advisory Committee, tentative approval had already been given to this development under the context of single unit development. To this date, the applicant may have progressed as far as final subdivision approval. The property is very heavily wooded with a mixture of hard and softwood trees; it has a slight to moderate incline coming from the bottom of Sackville Drive towards Florence Street, and there are no visible signs of poor or impaired drainage.

Mr. Hanusiak stated that in terms of the plan, this land falls within the urban residential designation. Within this designation considerable attention is given to the continued development of single unit dwellings; however, the plan does encourage an eventual mixture of housing types including two unit dwellings, particularly to meet the demands of future market conditions. Sackville is feeling the effects of a market that requires a fair number of two unit dwellings.

Mr. Hanusiak stated that the technical aspects with regard to water and sewer, transportation, and school have all been reviewed by the relevant agencies, and favourable comments have been received from each.

The Planning Staff feel this development will be compatible with the single unit dwellings in the area for two reasons. First, the majority of the proposed lots are fairly large relative to the existing single family dwelling lots. The depth of these properties allows development to take place within approximately 20 feet from the road, and only consume with the two unit dwellings approximately 50 feet of the lot. The majority of the lots have a depth of approximately 120 to 190 feet, which means there will be sufficient distance between the proposed duplexes and the single unit dwellings along Florence Street. These comments apply to all lots except lots 1 and 14. Mr. Hanusiak continued that under the R-2 requirements, the building standard requirements are identical to what is proposed in the R-1 already existing. The setback from the road is a minimum of 20 feet, the overall lot coverage is 35 percent, the height of the building is 35 feet in both R-1 and R-2 zones, and the sideyard requirements are the same at eight feet. Therefore, the proposal is really nothing more than what could physically take place under the R-1 zone except for the number of units. Second, the property is completely wooded with a heavy mixture of hard and softwood trees. Mr. Hanusiak indicated that he did not feel the developer would clear the property because it is far too expensive and it will take away a fair amount of aesthetics from the property. Also the moderate incline that exists on the northern properties is severe enough that if the land were exposed it would cause problems for his own subdivision in terms of storm water drainage and run-off. Therefore, there should be a fair amount of tree growth left at the rear of these properties which adds buffering between the proposed duplexes and the single family dwellings.

Mr. Hanusiak advised that the Department of Planning and Development is recommending approval of this application.

#### QUESTIONS FROM COUNCIL

Councillor Deveaux asked if there is an easement or proposed walkway between lots 10 and 11. Mr. Hanusiak advised it is a sewer easement which runs down through the applicant's property to Sackville Drive connecting into the storm system.

Councillor Deveaux next asked if the strip of land (372 feet) belongs to the single family lot on the corner. Mr. Hanusiak advised that the line Councillor Deveaux questioned was not a property line, but a line indicating the zoning boundary.



Councillor McInroy asked if there is a walkway east of proposed lot 6. Mr. Hanusiak advised this is a walkway proposed years ago by the Department of Housing, but it has never been activated. However, it is in a position to be activated subject to public discussion. Mr. Hanusiak did not believe that the County owned the property. Councillor MacKay clarified that the proposed walkway in question is still owned by the Nova Scotia Department of Housing. Approximately two years ago, when this parcel of land was proposed by Oakdene Estates Limited to be rezoned to R-4, the walkway was not to be part and parcel of the land, and it is still not to be at this point in time. Councillor MacKay advised that the Department of Housing had been approached about deeding this walkway over to the people living on either side of it. They had consented at that point in time, with the condition that the abutting owners would pay for the necessary surveying.

Councillor MacKay asked if lots 1 and 14 are being recommended for rezoning to R-2 as well. Mr. Hanusiak advised that lots 1 to 14 inclusive are being recommended for approval. Councillor MacKay asked that a brief history be given of the previous application for this property and the provision of the Municipal Planning Strategy with regard to commercial being able to be extended within 100 feet of Kaye Street under contract development. Mr. Hanusiak stated that approximately two years ago an application was made by Oakdene Estates Limited to rezone the land in question to R-4, the purpose being to build a 70 unit apartment building. However, the property had potential for 140 units. The Department of Planning and Development recommended the application at that time. However, Council rejected the application, which was appealed to the Nova Scotia Municipal Board. The Nova Scotia Municipal Board upheld Council's decision on the matter. The decision of the Municipal Board did not necessarily chastise the development as a poor exercise of planning. The Board did indicate that a 70 unit apartment building could be built on this property and exist in a very compatible way with the surrounding neighbourhood. However, the lack of specific development controls through a contract development did not guarantee that the property would be developed in the manner indicated by the developer; the threat was present that the property could be developed at its maximum density of 120 to 140 units. Therefore, the Municipal Board upheld Council's decision, and the matter was dropped. Mr. Hanusiak advised that within the Municipal Planning Strategy for Sackville there is provision for commercial development by development agreement.

#### SPEAKERS IN FAVOUR OF THIS APPLICATION

Art Gillespie, Oakdene Estates Limited, advised that this development has been going on since April, 1984 for rezoning to allow the apartment building. The Municipal Board had agreed to the 70 unit apartment building, but there was no means of controlling the number of units. Therefore, the Municipal Board rejected the application. Mr. Gillespie advised that the land must be developed because it is a valuable piece of land in a very good location for housing. With land costs as they are today and the cost of developing, an effort is being made to get

the best use as possible from the land. If a multi-family use is not acceptable, he advised he is trying to go with the next best thing, which is semi-detached housing. He stated this is a fairly expensive piece of land to develop because the sewer not only has to go in all along the street but it also has to come all the way down Sackville Drive, where there is no housing on either side. There is also an \$80,000 house on the roadway which must disappear. Mr. Gillespie advised that he has tried to make this proposal as compatible as possible: the lots are very large, they are very heavily treed, and the chances of seeing the duplexes from any location is difficult. He stated that the duplexes will be nice units, as he has always built nice duplex and townhouse units.

#### QUESTIONS FROM COUNCIL

Councillor MacKay asked what Mr. Gillespie's plans are for the street coming out onto Florence Street. Mr. Gillespie advised that an attempt will be made to move the house to lot 15, and if this will not work, the house will be removed from the site altogether and another single family dwelling will be built there. He advised the area is very level now. Two years ago there was concern that there would be a steep bank causing problem with landscaping. However, because the house is already here and the land is flat and on-grade it will be a very easy process.

Councillor MacKay next asked about lot 13 and what provisions would be taken to prevent run-off. Mr. Gillespie advised there is already water running down here, and there is a swale present which will not be disturbed. He pointed on the overhead to where the houses would sit and how the area will be protected. He also stated that because the street is there with a storm sewer, the water will be caught, meaning there will be less water than in the past.

Councillor MacKay next asked if the driveway between civic no. 13 and civic no. 17 will be paved with curb and storm sewer. Mr. Gillespie agreed, stating there is a small parcel of land which the Department of Transportation does not require. If adjoining property-owners do not want this strip of land, it would be left as a walkway. If adjoining property-owners did desire to have this deeded over to them, however, there would be no problem.

Councillor MacKay asked about the walkway previously addressed by Councillor McInroy. He asked if this was acquired from the Nova Scotia Department of Housing. Mr. Gillespie advised he had not acquired it, but if it were a requirement to negotiate with the Department of Housing to accommodate this walkway into his subdivision, he would. Councillor MacKay advised he has had indication from residents that they were not desirous of having this walkway. Mr. Gillespie advised that this could be left then, as could the tree buffer. He stated he does not want to disturb anything more than necessary.

Councillor MacKay asked if Mr. Gillespie would be developing the land himself or if he would be offering the lots for sale. Mr. Gillespie advised he would be developing the land himself with two-storey, 1,300 square feet, units each measuring 30 X 22 feet. The price range would be from \$69,000 to \$74,900.

Councillor MacKay stated that when lot 14 is developed, it will tower over the two homes to the immediate rear. He asked if Mr. Gillespie would have any objections to leaving this lot zoned R-1 with the understanding that it would only be developed with a one-storey house. The remainder could then be developed as proposed. Mr. Gillespie advised he has no difficulty with this suggestion. He agreed that this lot is smaller than the rest.

Councillor Deveaux stated that the lots are quite large in comparison to what is required. There has been some expression of concern from people as to why duplexes can be built on the same size of lot as a single unit dwelling. He asked if Mr. Gillespie would have any difficulty in developing the land as R-1. Mr. Gillespie advised that the best use for this land is multi-family. However, since this was denied, the next best use is R-2. As many people as possible should be allowed to live here because it is so central. All services are within the general area; the lot would be used as efficiently as possible without putting a strain on any of the existing facilities. Also, the land is very expensive to develop because of the slope and because of the additional sewer. Therefore, efficient use of the land is necessary, and R-1 is not as efficient as R-2 zoning.

Councillor Deveaux commented on the prices that could be received for single unit dwellings and duplexes. Mr. Gillespie advised that one could not get \$140,000 for a house in the area of Sackville; the price range in this area is \$80,000 to \$90,000.

#### SPEAKERS IN OPPOSITION TO THIS APPLICATION

Larry Ayers, Kaye Street, Lower Sackville advised that 15 years ago the residents of Kaye and Florence Streets purchased and built homes on land abutting the parcel of land in question. At the time of the purchase, these residents were informed by the Nova Scotia Department of Housing that the property abutting their lot was greenbelt with R-1. In 1985 this 4.6 acres of land was sold without advertisement or public knowledge that the property was for sale. In 1980 a public planning committee was formed to plan and structure the future development of Sackville. A weekly meeting process continued for approximately two years with assistance and guidance of the Halifax County Planning Department. The majority of these meetings were well attended by various departments of the County, local Councillors, and residents of the area. In May, 1982, the plan was submitted to Council, and with minor amendments it was approved in principle. The Provincial government approved it and made it law. Mr. Ayers went on to say that this plan was approved with the idea that it would be in place for a five year period to be reviewed in 1987 and amended to reflect changes

as warranted at that time. The original plan was barely in existence before there were applications for change. The majority of these requests were from business people who showed little or no interest or input into the plan. The land in question was purchased by the present owner knowing the zoning was R-1. He was familiar with the zoning laws for the area. In 1984, the present owner submitted an application for rezoning from R-1 to R-4 to construct multi-unit housing. However, at the public hearing an outcry from concerned residents stated disapproval of the proposed project. Council subsequently denied the rezoning. Now, in May, 1986, there is another proposal by the same company for a slightly different approach. This application for R-2 zoning has support from the District Councillor, who was opposed to the previous application. He stated that in the paper there are often notices soliciting public input to assist in future planning; however, such participation does not seem to be worthwhile, and Mr. Ayers stated that he has been before Council on three previous occasions prior to tonight with concerns about the development of this property and the vacant property adjacent to it. He stated that it is his recommendation that the property in question retain R-1 zoning, and that all future applications for rezoning be denied. He stated that if this application were approved, there would be no incentive for public input for future planning.

Councillor MacKay commented on Mr. Ayers remarks that when the homes in the area were purchased, the Nova Scotia Department of Housing had stated the adjacent land was greenbelt with R-1 Zoning. He asked for clarification. Mr. Ayers informed the zoning was placed on this parcel in 1971, and when the residents built the homes in the area, they were informed this land was a greenbelt. Councillor MacKay commented that as an active participant in the Municipal Planning Strategy, he should have realized that from Florence Street to Cobequid Road commercial development could go beyond 200 feet to within 100 feet of the residential street by contract development. Councillor MacKay advised that contract development merely calls for the entering into a contract more specifically in areas of roof lines, vegetation, etc. He suggested that the possibility still exists that if the person came forth with a proposal to develop by contract it could not be denied except for provisions under the contract development for aesthetics, etc. Second, the Municipal Board only denied the appeal by Oakdene Estates Limited for the 70 unit apartment building because there was no provision in the Municipal Planning Strategy for contract development that could not limit the number of units to 70. The land involved had potential for 140 units. He advised that if Mr. Gillespie were not given approval for this proposal, and he appealed it, he would be successful. He could also come forth with a proposal for R-4 zoning which would probably be approved the second time because provisions for contract development are now in place. Third, this property now has the possibility of being developed commercially which the Municipal Planning Strategy supported.

Mr. Ayers asked what guarantees there are if the applicant is successful at getting R-2 zoning that he will not decide to sell the property and leave it to someone else to develop. Councillor MacKay advised there are no guarantees, and only time will tell. There are no guarantees; this is the democratic society in which we live.