15-78

Planning & Development Zoning Report

Roy Corbin

Request to rezone: Lands of Roy Corbin Lot 2 Highway Number 1 Middle Sackville Halifax County, Nova Scotia District 14

From: R1 (Residential Single Family Dwelling Zone

To: C2 (Commercial General Business Zone)

Application Number 15-78 Dated November 6, 1978



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Municipality of the County of Hallfax 38 Dutch Village Road Post Office Box 300 Armdale Halifax, Nova Scotia, Canada B3L 4K3 Telephone 902 477-5641

Department of Planning and Development ۰.

Key Plan and District Plan

Land to be rezoned.
Not to scale.



County of Halifax

Department of Planning and Development







From: R-1 Residential Single Family Dwelling Zone To: C-2 Commercial General Business Zone

EVISED NOV 15, 1978



County of Halifax

Department of Planning and Development

15-78

Existing Land Use

Land to be rezoned.
Not to scale.

REVISED NOV 15, 1978



County of Halifax

Department of Planning and Development

15-78

Map Legend



County of Halifax

Department of Planning and Development

Rezoning Application No. 15-78

Lands of Roy and Jacqueline Corbin Lot 2, Highway Number 1 Sackville, Nova Scotia

Legal Description:

ALL THAT certain lot, piece or parcel of land and premises, situate on the southerly side of Highway No. 1, at Middle Sackville, in the County of Halifax, Province of Nova Scotia, designated as Lot 2 on a Plan of Portion of Property of (Miss) A. Hefler, dated the 11th day of September, 1953, signed by J. W. March. P.L.S. and approved by the Halifax County Planning Board on September 14, 1953, said lands being further shown on a Plan of Survey of Lands of Roy D. Corbin & Jacqueline Corbin, prepared by Wallace-MacDonald Surveys Ltd., dated the 13th day of December, 1977, and signed by Harold S. Levely, N.S.L.S.; said lot 2 containing by admeasurement 35,000 square feet, more or less, and being more particularly described as follows:

PREMISING that the northerly limit of Lots 18, 19 and 20, has a magnetic bearing of North 82°50'00" West, as shown on a plan by K. P. Aucoin, N.S.L.S., dated March 20, 1975, and relating all bearings herein thereto;

COMMENCING at a standard iron post placed on the original southerly limit of Highway No. 1, at the northwest corner of lands now or formerly of R. Langille, as shown on said plan; said point being distant 87.44 feet measured on a course South 76°20'45" East from the most easterly corner of lands now or formerly of Granville Ellis, as shown on said plan;

THENCE South 14°28'00" West, along the westerly limit of lands now or formerly of R. Langille, 200.0 feet to a standard iron post placed on on the northerly limit of Lot 4-B, as shown on said plan;

THENCE North 82°50'00" West, along the northerly limit of Lot 4-B and the northerly limit of Lots 20, 19 and 18, as shown on said plan, 252.5 feet to a standard iron post and stones found on the southeasterly limit of lands now or formerly of Granville Ellis, aforesaid;

Department of Planning and Development

Lands of Roy and Jacqueline Corbin Lot 2, Highway Number 1 Sackville, Nova Scotia

THENCE North 49042'00" East, along the southeasterly limit of said Ellis lands, 282.60 feet to a standard iron post placed at the most easterly corner,thereof and on the original southerly limit of Highway No. 1, aforesaid;

THENCE southeasterly, along said original limit, 88 feet, more or less, to the point of commencement.

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Rezoning Application No. 15-78

Lands of Roy and Jacqueline Corbin Lot 2, Highway N Sackville, Nova Scotia

November 1, 1978

It is recommended that the application for the rezoning of the property known as Lot 2 of the Lands of Roy and Jacqueline Corbin, Highway Number 1 at Middle Sackville as shown on the attached plan be <u>REJECTED</u> by the Planning Advisory Committee and County Council.

An application has been received requesting rezoning of Lot 2 of Lands of Roy and Jacqueline Corbin located on the Number 1 Highway from R-1 (Residential Single Family Dwelling Zone) to C-2 (Commercial General Business Zone).

The rezoning has been requested so that the applicant may construct a "small trades centre" which would serve the needs of local tradesmen and the general public. The applicant proposes to construct a centre, housing five to eight "cubicles" which would service tradesmen such as a general contractor, a plumber, an electrician, a small hardware supplier, and an architect.

The subject lot is presently vacant, and its size is 35,000 square feet. There is a single family dwelling west of the site, vacant land to the east, Valleyfield Farm to the north, and vacant land to the south. With the exception of the parcel of land directly across Highway No. 1 from the site which is zoned C-1 (Commercial Local Business Zone), all the land in the adjacent area is zoned R-1 (Residential Single Family Dwelling Zone).

"This application was commented on at a meeting with the Planning Department on May 31, 1978. The applicant has changed the application from C-1 (Commercial Local Business Zone) to C-2 (Commercial General Business Zone). This rezoning would eliminate any residential usage on the parcel of land in question.

The lot of land abuts on the Windosr Highway and at present is not capable of being serviced with Municipal water and sewer. Services would have to be provided by the Developer at his expense; that is

Department of Planning and Development

Recommendation: Rejection

Information:

Description of Lot and Surrounding Area:

Comments Public Works Dept.: Lands of Roy and Jacqueline Corbin Lot 2, Highway Number 1 Sackville, Nova Scotia

ductile iron water and 12 inch concrete sanitary sewers from existing mains at the end of Jubilee Lane and the Windsor Highway. There is no reason from Public Works point of view why this rezoning application cannot be favourably considered."

The Planning Department's recommendation for rejection is related to the following: its location outside of the commercial areas of Sackville. As one proceeds along the Number 1 Highway from Lower Sackville there is a definite sense of transition. There is a change from an urban atmosphere: concentrated commercial, heavy residential development, and a four-lane highway; to what is essentially a rural atmosphere. This transition begins as one crosses the Beaverbank Road but is particularly evident as one crosses the Old Beaverbank Road proceeding towards Middle and Upper Sackville. The highway narrows to two lanes; commercial development is mainly restricted to small convenience food stores, and residential development is less concentrated. The Draft Municipal Development Plan for the County of Halifax, recognizes the unsuitably of this location for commercial development. Policy 6.5.7 states that "commercial uses shall be severely discouraged along local arterial Highway Number 1 and along Cobequid Road". On the generalized future land use plan, the lot under discussion is designated residential.

This rezoning application is another example of a spot rezoning. If the County permits this spot rezoning, it invites other similar rezoning applications that detract from existing commercially-zoned areas of Sackville. The County must discourage spot commercial uses of this nature. It should also be pointed out that this lot is outside the serviceable area boundary.

Although the concept of a small trades centre for the Sackville area is a good one, the lot under discussion is NOT a suitable location for such a venture.

lanning Department Recommendations:

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Department of Planning and Development

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Planning & Development Zoning Report

Robert J. MacDonald

Request to Rezone: A portion of the Lands of Robert J. MacDonald Highway Number 1 Lower Sackville Halifax County, Nova Scotia District 16

From: Rl Residential Single Family Dwelling Zone To: C2 Commercial General Business Zone

Application Number 13-78 Dated October 13, 1978



Municipality of the County of Halifax 38 Dutch Village Road Post Office Box 300 Armdale Halifax, Nova Scotia, Canada B3L 4K3 Telephone 902 477-5641

Department of Planning and Development

Key Plan and District Plan

Area to be rezoned (Not to scale) Lands of Robert J. MacDonald Highway Number 1, Lower Sackville Halifax County, Nova Scotia



County of Halifax

Department of Planning and Development

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Lands to be rezoned From Rl Residential Single Family Dwelling Zone To C2 Commercial General Business Zone 0 Not to scale



Land to be rezoned
Not to scale



County of Halifax

Department of Planning and Development

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Map Legend

Pattern Codes Zone Codes and Description and Use Codes Residential S Single Family Single Family Dwelling Zone VVV vvv vvv Residential 82 Two Family Two Family Dwelling Zone +++ Residential 114 Multiple Family General Zone Town House Support of the local division of the local d Trailer Court Zone Mobile Single Trailer Home Park Zone N Parks and D. School Institutional Zone Commercial Church Local Business Zone Commercial 62 Construction General Business Zone Motel Shopping Mall Zone Salvage Yard and SD Service Station Dump Zone Industrial A second Medical General Zone Industrial 12 G Grocery Radio Transmitter Zone Industrial IP 「日本」 Restaurant Park Zone Fishing Fi Industry Zone General G Building Zone

Department of Planning and Development

Lands of Robert J. MacDonald Lower Sackville, Nova Scotia

Legal Description

13-78

ALL THAT CERTAIN lot, piece and parcel of land at Lower Sackville, in the County of Halifax aforesaid, situate on the west side of the main road from Halifax bounded and described as follows:

BEGINNING at a post being the southeast corner of the property of Arthur Schultz;

THENCE running westerly along the south boundary line of said Schultz to the Little River;

THENCE south along the east side of the Little River aforesaid to the northwest corner of property of B. A. Fader;

THENCE east along the boundary line between the property of Brazilian A. Fader and the lot under description to a point on said boundary line one hundred and eighty feet (180') west from the road first mentioned;

THENCE northwesterly ninety feet (90');

THENCE easterly one hundred and eighty feet (180') to a point on the west side of the road first mentioned, one hundred and ten feet (110') distant in a northerly direction from the northeast corner of said Fader's property;

THENCE northerly along the west side of the said first mentioned road to the place of beginning.

BEING AND INTENDED TO BE the same lands as conveyed by a Tax Deed from the Municipality of the County of Halifax to Francis Churchil Carter, dated the 9th day of April, A.D., 1973.

Rezoning Application No. 13-78

Lands of Robert J. MacDonald Lower Sackville, N. S.

October 19, 1978

Approval

Information:

Lower Sackville as shown on the attached plan be approved by the Planning Advisory Committee and County Council. The proposed area to be rezoned is a parcel of land owned

It is recommended that the application for the rezoning

of a portion of the Lands of Robert J. MacDonald,

by Robert J. MacDonald on the Number 1 Highway, Lower Sackville. The request is to rezone a portion of the lot from its present R-1 (Residential Single Family Dwelling Zone) to C-2 (Commercial General Business Zone).

The front and rear portions of the lot are presently zoned C-1 (Commercial Local Business Zone). The applicant intends to operate an automobile sales business on the lot.

Description of Lot and Surrounding Area:

Comments:

Public Works Dept.

Lanning Department: Background Information The lot has been cleared and there is a school to the north and a treed area to the south.

There is commercially-zoned land to the northeast, east, south and west. The land to the northwest is zoned Pl (Parks and Institutional).

"This rezoning application was commented on at a meeting held May 11, 1978. The concern of the Public Works Department is that the density does not exceed the design density for sewers in the area, that is 18 persons per acre. The stated intent for this parcel of land is for an automobile sales business which would not produce an equivalent density in excess of the above-mentioned 18 persons per acre. Therefore, there is no reason from Public Works point of view why this rezoning cannot be favourably considered, in view of the fact that the C-2 Zoning does not permit any form of residential development."

The subject parcel of land is directly behind the 200 foot commercially zoned strip along Highway Number 1, between the Beaverbank and Cobequid Road in Lower Sackville. The parcel is a portion of a 6.7 acre parcel of land under the ownership of Robert J. MacDonald, that stretches from Highway Number One to the Little Sackville River.

County of Halifax

Department of Planning and Development

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These holdings are not uniformly zoned: proceeding from north to south there is C-1 (Commercial Local Business Zone) zoning for a distance of 200 feet from Highway No. 1, then for a distance of 500 feet it is zoned R-1 (Residential Single-Family Dwelling Zone), and finally for a distance of 400' it is zoned C-1 (Commercial Local Business Zone). The applicant's request is to make the zoning of his land holdings uniform.

The question under disucssion is whether the applicant should be granted his request to rezone the middle portion of his holdings to C-2 (Commercial General Business Zone). The applicant claims that the 200 foot depth of commercial zoning is not adequate for his proposed use, an automobile sales business. This is the case due to a portion of his lot not being zoned for commercial purposes.

This application should not be viewed as a spot rezoning from residential to commercial but rather an extension to the depth of an existing commercial zone. This area fronting on Highway Number 1 in Lower Sackville is zoned for commercial purposes. Unlike the situation on Cobequid Road where commercial development has occurred through numerous spot rezonings, commercial development has been permitted through an amendment to the zoning by-law that created, a 200 foot commercial strip along Highway Number 1 between Cobequid and Beaverbank Roads. Although this request is to rezone land from residential to commercial, it cannot be considered a commercial intrusion on a residential area because: (1) the portion of land is not located in a residential area but a commercial area and (2) all access and egress will be off Highway Number 1, a local arterial highway as opposed to a residential street.

Therefore, it is the opinion of the Planning Department that the residential portion of the applicant's holdings should be rezoned C-2 (Commercial General Business Zone). Thus making the middle portion, presently zoned R-1 (Reisdential Single-Family Dwelling Zone) conform to the front and back portions which are zoned commercial.

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THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF DECEMBER COUNCIL SESSION

TUESDAY, DECEMBER 19, 1978

Warden Settle opened the December meeting at 2:00 p.m. with the Lord's Prayer followed by Mr. Bensted calling the roll.

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

"THAT Mrs. Terri Durling be appointed as recording secretary." Motion Carried.

The public hearing re Undersized Lot Under the 1966 Legislation re Lot HC-78-1, Estate of Margaret Logan, Herring Cove was then dealt with. The letter and map concerning this lot is contained in the agenda. Mr. Bensted stated that no correspondence had been received other than the one from Mr. Cragg to Mr. Gough of the Planning Department. There were no speakers for the application. Mr. Young of Herring Cove spoke briefly against the application. He asked what the criteria was for the County to approve this application. It appears the land will be going up for sale. The standard 50 foot frontage rule should apply equally to everyone and it seems this undersized lot frontage will be granted just because there is a sale to be made from it being divided into two lots instead of one.

Councillor Sutherland asked what the status of the land was. Mr. Gough said that it was Crown originally owned by the Department of Lands and Forests. This application would make a tidier package under existing legislation.

It was noted that people in the immediate area are interested in purchasing the land.

Councillor Deveaux asked if the lot were approved regarding health regulations and Mr. Gough said it could be serviced by municipal services.

Mr. Gough further explained that in 1948 there were no lot frontage requirements at the time this lot was granted. Title searches now require it and based on the survey plan, it was decided to go this route although it was not absolutely necessary.

Councillor Lawrence suggested that this item be referred to Finance and Executive to investigate the possibility of obtaining additional Crown Land nearby, etc. Councillor Topple agreed with this since the lot was created by the Crown in the first place. It would be worth approaching them to help create a more standard lot.

It was noted that a partially burned down building now exists on the lot.

Councillor Walker wanted to know why a public hearing was being held on this. Warden Settle said that somewhere along the way it seems to have been decided that this was the best route to follow.

Councillor Williams felt that this lot would never be approved with a brook running through it and it was a waste of Council's and the Planning Department's time as it now stands.

It was moved by Councillor Lawrence, seconded by Councillor Topple:

"THAT a decision re Lot # HC-78-1, Estate of Margaret Logan, Herring Cove, re Undersized Lot Under the 1966 Legislation, be referred to the Finance and Executive Committee to determine the possibility of obtaining additional crown land or calling for public tenders as is." Motion Carried.

The Warden advised that Mr. Knox, Manager of Halifax International Airport is present today and has been invited to show a film regarding the operation of the airport to Council today. Mr. Knox advised that as this film was not new that some of the statistics contained in the film may now be out of date. There are some 1,700 to 1,800 people employed and a cash floor of between \$80 and \$90 million goes through this community.

After viewing the presentation of some eight minutes, Councillor Benjamin asked if there would be any reduction in service relating to the airport not being opened on a 24 hour basis. Mr. Knox said a study was currently underway as to the feasibility of an air traffic controller staying on duty after midnight. since the demand is presently not there, the job would be turned over to telecommunications and the operation of the tirport should not be affected in any way. Councillor Topple asked if telecommunications were as effective and whether an aircraft such as a Concord would be willing to land at the Halifax Airport without a traffic controller on duty. Mr. Knox did not know the answer to this since it is not in his field but was inclined to feel there would be no problem since many other larger airports operate on this basis.

Councillor Deveaux asked if the facilities at the airport would be affected in any way by a change-

December 19, 1978

over. Mr. Knox said that since only the method of meeting a requirement were being changed, the same level of service in the airport would still be required. The airport will definitely not close. Councillor Deveaux wanted to know also if dollar input would be affected and Mr. Knox did not think so since there is virtually no air traffic from midnight to 6:00 a.m.

Councillor Lachance asked who was responsible for the changes to the airport and wondered why the public were no longer allowed to view the airplanes departing, etc. Mr. Knox said Transport Canada made the changes and that terrorism during the 70's lead to the heavy security now seen at the airport.

Councillor MacKenzie asked if any changes were going to be made to present parking facilities such a enclosed parking. There will be improvements made to present parking but there are not plans for enclosure said Mr. Knox.

Councillor Cosman asked if Mr. Knox placed equal merit on telecommunications and an air traffic controller. Mr. Knox said they are equal depending on the volume. If volume increases, an air traffic controller would be required.

Councillor Eisenhauer asked how the pilot knows where the runway is on a foggy night when preparing to land. This is done on an instrument landing system explained Mr. Knox. Halifax has a category two system which consists of sophisticated electronic equipment which guides the pilot until he has visual sight of the runway.

Deputy Warden Gaetz asked about the blind spot at the airport as reported in an article written by Hugh Conrod some five years ago. Mr. Knox knew nothing about this.

Thanks were expressed by Council to Mr. Knox for his presentation and a short break was taken in orde to clear things away.

Upon resumption of the meeting, Mr. Bensted asked what Council wanted to do for the supper hour.

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

"THAT Council adjourn from 5:30 to 6:00 p.m. and sandwiches and fruit be brought in." Motion Carried.

It was noted by Mr. Bensted that three items were inadvertently left off the agenda. They are a not of motion by Councillor Lawrence re setting of dates for public hearings, appointment of non-council member to the County Board of Health and appointment of a non-council member to the Planning Advisory Committee. Councillor Cosman noted that she had deferred a rezoning application decision on the islands in Paper Mill Lake until this session and this must also be dealt with. Mr. Bensted said a copy of the proposed agreement between Bedford Village Properties and the County of Halifax was received from Mr. Cragg and this will be passed out to Council this afternoon.

It was also noted that there is a Supplementary Report of the Finance and Executive Committee dealing with the renewal agreement between the Sackville Fire Fighters' Association and there is also a Supplementary Report of the Planning Advisory Committee.

Items were then added to the present agenda by individual Councillors:

Councillor Poirier - Central Mortgage and Housing funding for Beechville-Lakeside-Timberlea sewer and and water project.

Councillor Cosman - Naming of Bedford-Waverley High School.

Councillor Margeson - Income Tax.

Councillor Lawrence - Items from November Council session to be checked on and added to this session or the January session.

Councillor Benjamin - County Health.

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

"THAT the above items be added to the present agenda and the agenda be closed." Motion Carried.

It was decided to deal with Councillor Lawrence's notice of motion re the setting of dates for public hearings at this time. Councillor Lawrence was not sure if it were legally possible to expedite the setting of dates for public hearings but the Planning Advisory Committee have a recommendation to make on the matter. Council almost always holds a public hearing when P.A.C. recommend it. Since a date cannot be set until Council meets once a month, a person must wait for as long as a month just to get a date set for the public hearing. Pre-set dates would eliminate this long wait but it seems that this may not be possible according to the By-Laws.

Councillor Topple wondered if the By-Law could be changed to allow this. A request could be made to

have the Planning Act changed.

The Solicitor said that under the present Provincial Planning Act only Council has the power to determine the date and set it for each individual application.

Councillor Lawrence suggested that the first and third Monday's of each month be set aside for public hearings and that the Director of Planning be authorized to advertise these dates for public hearings. Councillor Cosman said the previous method of the Planning Advisory Committee holding public hearings was speedier and they lose a lot of time waiting for Council to meet.

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Councillor Williams agrees with the Solicitor after reading the letter he prepared on the matter. Mr. Cragg looked the situation over in great detail and the By-Law definitely states that each and every application must have a date set by Council.

Councillor Sutherland said the problem would be solved if Council would meet twice a month instead of only once.

Mr. Bensted said Council could create a situation whereby appeals could technically be made.

Councillor McCabe would rather have the public hearings held on Tuesdays instead of Mondays.

Councillor Deveaux asked what would happen if dates were set aside but there were no public hearings. The Solicitor said this would not be a problem and council would not meet if nothing were scheduled.

Echoing Councillor Sutherland's suggestion, Councillor Margeson agreed that two Council meetings per month would achieve the same results as what Councillor Lawrence is looking for.

Councillor Williams said the County has a Solicitor hired to answer these legal problems and Council should respect his decisions.

Councillor Lachance feels that any suggestion that saves the ratepayer time is worth the trouble. Council is looking at an administrative problem for now. The Provincial Planning Act is being reviewed. The Solicitor should be asked to write to the Provincial people involved in reviewing the act and ask how this request could be accommodated.

It was moved by Councillor Lawrence, seconded by Councillor Cosman:

"THAT Council agree that public hearings re zoning applications be held on the first and third Mondays of each month with Council delegating the authority to the Development Office to advertise public hearings as recommended by the Planning Advisory Committee." Motion Withdrawn.

It was pointed out by Councillor Cosman that public hearings have been held in the wrong manner for the past several years. The decisions made may be invalid according to what the Planning Act states.

Councillor Lawrence suggested that her motion go to the Minister of Municipal Affairs for his decision on the legality of it. The majority of Municipalities in Nova Scotia hold their public hearings with the whole of Council present. Mr. Cragg has already given his legal opinion.

Councillor Benjamin agrees that there should be two Council meetings per month and the public hearings could be tied in with regular Council meetings. In that way, Council will not be locked into coming in for scheduled public hearing dates.

Councillor Lawrence gave a notice of motion for the January session of Council re two Council sessions per month.

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

"THAT the minutes of November 6, 1978 be approved." Motion Carried.

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

"THAT the minutes of November 21, 1978 be approved." Motion Carried.

There were several changes made by Councillor Cosman to the minutes of the public hearing dated November 27, 1978. These were listed by Councillor Cosman.

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

"THAT the minutes of November 27, 1978 be approved as amended." Motion Carried.

There were errors in the minutes of November 28, 1978 as pointed out by Councillors Lawrence, Topple,

- 4 -

Cosman and Smith. These were noted and the minutes will be amended accordingly.

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

"THAT the minutes of November 28, 1978 be approved as amended." Motion Carried.

Councillor Lawrence made three changes to the minutes of December 5, 1978.

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

"THAT the minutes of December 5, 1978 be approved as amended." Motion Carried.

One change noted by Councillor Margeson in the minutes of the public hearing of December 11, 1978 is on page one where 2,600 square feet should be 26,000 square feet.

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

"THAT the minutes of December 11, 1978 be approved as amended." Motion Carried.

It was further moved by Councillor Walker, seconded by Councillor Lawrence:

"THAT the Report of the Warden be received." Motion Carried.

Mr. Gough explained re the Warden's Report that malfunctions in the emergency sirens occur due to faulty electrical problems. If a Councillor has an inquiry on one of these, they should call Maritin Command's Duty Officer collect who will tell them what to do.

Mr. Bensted noted that the Nominating Committee should retire sometime today to fill some of the vacancies now that there is a new member of Council.

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

"THAT the Nominating Committee retire now." Motion Carried.

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

"THAT the Report of the Director of Planning and Development be approved." Motion Carried.

Concerning the Report of the Planning Advisory Committee, Councillor Sutherland noted that there is an addendum to item number four which shows a revised boundary line.

Deputy Warden Gaetz wanted to know why item number three in the P.A.C. Report concerning a public hearing for Shirley Greenough, West Lawrencetown, was rejected. He has read Mr. Cragg's letter on it but it still does not seem right.

It was moved by Deputy Warden Gaetz, seconded by Councillor Lawrence:

"THAT the Report of the Planning Advisory Committee be approved as amended (see addendum December 19, 1978)." Motion Carried.

Regarding Deputy Warden Gaetz's concern about item three of the Planning Advisory Committee Report, the Solicitor suggested that this be deleted from the Report and dealt with as a separate item.

It was moved by Deputy Warden Gaetz, seconded by Councillor Baker:

"THAT Item # 3 of the Planning Advisory Committee Report be deleted and dealt with as a separate item." Motion Carried.

Councillor Cosman stated that the drawings for zoning applications are sometimes misleading as the or for Shirley Greenough is. The owner wants to subdivide one lot into two smaller lots. This does not fit into the requirements for undersized lot legislation.

Deputy Warden Gaetz feels justified that this case should have a public hearing. It could very well be a hardship case and the facts should be presented. What will the people do with this land?

Councillor Sutherland said the people should have checked out the rules and regulations concerning land before they purchase it. Councillor Deveaux feels that the average citizen does not realize these things and because they are not knowledgeable, they are often left with a piece of land that they can do nothing with. There would be no harm in having a public hearing on the matter. There followed some discussion about the right of way to the property.

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It was moved by Deputy Warden Gaetz, seconded by Councillor Baker:

"THAT Council give notice of intention to hold a public hearing on January 16, 1979 at 2:00 p.m. re application for an undersized lot re application of Shirley Greenough, West Lawrencetown, under the 1966 legislation." Motion Carried.

It was moved by Councillor Margeson, seconded by Deputy Warden Gaetz: .

"THAT Council give notice of intention to hold a public hearing on January 16, 1979 at 2:00 p.m. re application for approval of Lot "A", Helen Lively Subdivision, Elderbank, under the 1966 legislation re undersized lots." Motion Carried.

It was moved by Councillor Cosman, seconded by Councillor Lawrence:

"THAT Council give notice of intention to hold a public hearing re application # 16-78 to rezone certain lands on High Street and adjacent to High Street from R2 (Residential Two Family Dwelling) Zone to R1 (Residential Single Family Dwelling) Zone - January 15, 1979 at 7:00 p.m. as per report and addendum." Motion Carried.

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

"THAT Council give notice of intention to hold a public hearing re application # 15-78A to rezone certain lands at Hubbards including Schwartz Road and Conrod's Road and surrounding lands from G (General Building and Unzoned Status) to R2 (Residential Two Family Dwelling) Zone - January 15, 1979 at 7:00 p.m." Motion Carried.

It was moved by Councillor Topple, seconded by Deputy Warden Gaetz:

"THAT Council give notice of its intention to hold a public hearing re application #12-78 to rezone lands in the area of Smith Avenue and Morash Drive from G (General Building) Zone and Unzoned Status to Rl (Residential Single Family Dwelling) Zone on January 15, 1979 at 7:00 p.m." Motion Carried.

While discussing the acceptance of title re public green areas, Councillor Deveaux wanted to know how the maintenance and upkeep of these areas is paid for. Mr. Bensted explained that the County accepts them on the basis of the district contributing to it by area rates.

Councillor Margeson asked who would be responsible should an accident occur on a green area. The Solicitor said it is not always the responsibility of the owner of the land but in most cases it would be - the County in this instance. Mr. Bensted added that the County has an insurance policy for \$1 million on all the green areas owned.

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

"THAT Council accept title to certain green areas in the Nova Scotia Housing Commission Development, Lower Sackville in phases 1A, 1B, 2D West, 2E, 2F Tip, 4R, 4N, 5N North, 7 Road, 8S South as per attached list subject to the district accepting the cost of maintenance and improvements to such green areas." Motion Carried.

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

"THAT Council accept title to certain green areas in the Salt Water Lake Park Subdivision shown as a 1.2 parcel of land abutting Porter's Lake and the Crowell Road - East Lawrencetown subject to confirmation of title by the Municipal Solicitor and subject to the district concerned accepting the responsibility of future maintenance and operation." Motion Carried.

It was moved by Councillor Williams, seconded by Councillor Baker:

"THAT Council accept the title to certain green areas in the Pinedale Park Subdivision shown as lot "M" corner of Pinedale Drive and the Prospect Road subject to certification of title by the Municipal Solicitor and subject to the district concerned accepting the cost of future maintenance and operation." Motion Carried.

The Supplementary Report of the Planning Advisory Committee was then dealt with next as suggested by Councillor Lawrence.

It was moved by Councillor Lawrence, seconded by Councillor Margeson:

"THAT the Supplementary Report of the Planning Advisory Committee be approved." Motion Carried.

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

"THAT application 8-78 - request to rezone lands on Highway No. 7 at Westphal from Rl (Residential Single Family Dwelling) Zone to C2 (Commercial General Business) Zone be publicly heard at 7:00 p.m. on January 22, 1979." Motion Carried.

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

"THAT application # 18-78 - request to rezone lands at Middle Sackville from R2 (Residential Two Family Dwelling) Zone to Cl (Commercial Local Business) Zone be publicly heard at 7:00 p.m. on January 22, 1979." Motion Carried.

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

"THAT a public hearing be set for January 22, 1979 at 7:00 p.m. re the Planned Unit Development Application for lands at East Look Lake in District 12." Motion Carried.

It was moved by Councillor Lawrence, seconded by Councillor Topple:

"THAT item # 9 of the main report of the Planning Advisory Committee be referred to the Finance and Executive Committee." Motion Carried.

Councillor Margeson complimented the staff for getting this rather large supplementary report of the Planning Advisory Committee out for today since the meeting was held only yesterday.

Concerning the Report of the Chief Building Inspector, Councillor Sutherland feels that many applications are made for lesser setback and side yard clearances because people are trying to suit the lot to the building. The rule is that an eight foot side yard clearance is needed and too many exceptions are made.

The application made by the Nova Scotia Housing Commission for their senior citizens complex was made because the balcony extends into the eight foot clearance, however, the actual foundation of the building does not. Councillor Walker asked why the building could not be moved in order to abide by the rules. Mr. Spencer from the Nova Scotia Housing Commission took the floor to answer this and other questions from Council. It seems the Halifax County boundary line runs through the property and if the building were moved to the south it would be in another county. The foundation itself is 8.6 feet from the other property line. Councillor Margeson asked why the balcony could not be put on the other side of the building but this could not be done. The balcony is to be used as an access to the second storey units. The closest house on the adjacent lot is some 80 feet away. There is a wet area to the back of the home and this is why it should not be moved back. It would cost a lot of extra money for fill for the brook.

Councillor McCabe asked how the boundary line was established and Mr. Spencer said a surveyor did th work.

Councillor Sutherland said Council should start looking more seriously at these applications. In many cases there is no reason for it. Warden Settle said many of the problems are caused by chimney or steps, etc. and not the foundation.

Councillor Benjamin wondered if any purchase attempt was made on the lot to the north in order to get a slice of it. Mr. Spencer was not aware of any such attempts at this.

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

"THAT the Report of the Chief Building Inspector be approved." Motion Carried.

A rather lengthy Report of the Municipal School Board was discussed containing lists of requests for furniture and equipment, capital maintenance requests, paving and drainage requests.

It was moved by Councillor Lachance, seconded by Councillor McCabe:

"THAT the Report of the Municipal School Board be received." Motion Carried.

Councillor Topple wanted to know if the School Board were really looking at some of the requests made. Items such as radios and the prices quoted seem out of line as well as washers and dryers and hand calculators. Are the 17 hand calculators requested for teachers?

Councillor Lachance said the list was pursued carefully and it has been pared down already. Item by item was gone over and members of the Board followed through on many of them. The principal of the school requiring the hand calculators said they are for students who are expected to know how to operate them in these modern times.

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Councillor Deveaux noted that he wants some work done on a junior high school in his area.

Councillor MacKenzie spoke about the shortage of water that occured in the Sheet Harbour High School this summer and wanted to know if anything more was going to be done about it. The problem has been cleared up but could happen again and it seems that no action has been taken. It is a very serious situation when it goes dry. There is also an arsenic problem in the water supply in the Tangier school. The janitor is bringing water in plastic containers and this is not a healthy situation. These two situations should be more thoroughly investigated. Also in the Duncan MacMillan High School there is a problem with the acoustics in the gymnasium. It is used extensively by the community for other activities and programs and funds should be made available to improve the acoustics.

Councillor Lachance replied that the water situation at the Sheet Harbour High School was investigated and it seems it was unusual this summer when it went dry. This has never happened before. It would be a gamble to drill a new well when there may be arsenic in the area so they decided to leave things as they were. This may never happen for many years but if it does the School Board will definitely look at it again. Councillor MacKenzie was not aware of arsenic in this area. Councillor Lachance said a test hole was done and some arsenic was discovered.

Getting back to Councillor Deveaux's problem, there is a beaten path to the playing field from the high school and Ocean View Manor in his area. It is dangerous and not in safe condition. Steps are needed.

Deputy Warden Gaetz wondered why the new Bell Park Academic Centre were asking for two portables when the school has not been opened yet. Councillor Lachance explained that the School Capital building program is on a five year schedule and it takes three years to get a school built from scratch. In Halifax County where growth is so fast, three years can make quite a difference in the population and school requirements.

Councillor Williams wanted to congratulate the Municipal School Board for the work they have done. They have done a good job and should be encouraged.

Regarding the request for two sound projectors, Councillor Margeson suggested that only one be purchased and it be rescheduled. He also asked about the need for 13 typewriters for the Sackville High School who are on split shifts and 10 bookcases when there was a problem reported of not enough books. He also wondered why 200 lockers were needed for this same high school when they are on split shifts and why does a school need a deep fat fryer and accessories.

Councillor Lawrence said some of these items are replacement ones such as typewriters and lockers. Councillor Lachance added that they have just dealt with the problem of a lack of books and lockers are needed to keep the books from being stolen, lost and misplaced. Last month Councillor Margeson had agreed that lockers were a good idea. This is all cost shareable and we have been assured by the principals involved that these things are needed by the schools.

Councillor Benjamin also congratulated the School Board on their report. He encourages the use of lockers to help with books.

Councillor MacKenzie also wondered about the washers and dryers. Why should one school get them and not another. Councillor Lachance said these were needed for a home economics course. The size of the school and staff determines the courses available many times and this is why some schools have the basics and others have additional courses to offer.

Councillor Eisenhauer asked about the budget for these items and how much greater it was over 1978. Mr. Bensted said this report was only being received and it would be referred to the School Capital Program Committee and the Finance and Executive Committee and then the Department of Education for cost sharing. The budget for this is not being approved today.

Councillor Lichter was asked for his comments on the report by Deputy Warden Gaetz since he is a principal of a school. Councillor Lichter congratulated the School Board on their work. They are doing a good job. When the principal prepares his list of required items for the school, this is done in October and usually takes one year and often times the prices are inflated because of the time difference. The teachers must justify what they ask for. It is good practice to have a higher price listed to allow for price increases. Some schools are staffed with skeleton staff and can only offer the basic courses. He is glad that some schools can offer more and it is better to have these schools than have them all offering only the basics.

Councillor Lachance noted that in 1980 the County may be looking at a decreased enrollment, therefore, as hard as the moratorium is, it does give the County some sort of guideline.

Councillor Margeson asked about the deep fryers again and it seems they are needed for a school cafeteria.

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Councillor Deveaux wanted to know if the School Board is considering putting Graham Creighton on spli shifts. He also spoke about the trustees of the schools and suggested that they be asked well in advance for their lists of requests for schools.

Councillor Lachance said the trustees of schools have varied roles. Some practically run the schools with the principal and others having little to do with the school. The Board is looking at all aspects of school operation for next year and they are not prepared to make a recommendation yet. Split shifts will be looked at as well as other alternatives. Much will depend on whether the Cole Harbour school is ready or not.

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

"THAT the capital items of the Municipal School Board be referred to the Provincial Department of Education for approval of cost sharing . and to the Finance and Executive Committee and School Capital Program Committee for a report to Council." Motion Carried.

Councillor Deveaux said the Cole Harbour High School will have the benefit of extra facilities while other schools will not. He would like raham Creighton High School to have the same facilities.

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

"THAT the Municipal School Board be requested to take steps re upgrading the Graham Creighton High School to a par with the new Forest Hills High School." Motion Carried.

The Report of the School Capital Program Committee was then dealt with. Deputy Warden Gaetz said the was a change in the inspection dates quoted in the report and this change has been circulated around to Council. \$75,000.00 to \$80,000.00 for ramps to the schools seems a very high price said Deputy Warden Gaetz. He feels the education should be brought to the handicapped child since these ramps are very difficult to incorporate in old schools.

Councillor Lichter has no objection to ramps. He has no handicapped children in his school who needs assistance manoeuvering. He cannot see spending thousands of dollars for one such student but if the population requires it, it is certainly worthwhile.

Councillor Lawrence stated that all the special facilities of a school cannot be put on one floor library, labs, etc. Special courses in junior and senior high schools have these facilities and it is important that at least one such school in each subsystems have a ramp for paraplegics.

Councillor Lachance agrees that it is important that a paraplegic be treated as everyone else. They should be given the opportunity to compete with everyone else.

Councillor Baker suggested that all new schools should be built on one level so there would not be such a problem. Mr. Bensted said it would be very expensive re land, plumbing, heating, etc. to do things this way.

Councillor MacKenzie asked if any comparisons were made re the elevators and ramps. Councillor Lawrence said that ramps are maintenance free. The Provincial Department of Education said they would cost share for elevators and so it seems that they prefer that elevators be put in. This should be looked at further.

Councillor Benjamin said the School Capital Committee should be encouraged to give the Bedford-Waverley High School top priority. It is not on schedule and it should be officially named. Also, concerning the School Bus Garage it came out at the public hearing recently that a site has been chosen. Councillors were not formally informed of this decision. He objects to Cobequid Road as it has only two accesses while other sites have five.

Deputy Warden Gaetz finds there is criticism of all sites chosen for schools and garages. Cobequid Road was approved by the Department of Education. Councillor Cosman asked who owned the land and Mr. Bensted said he thought it was Sackville Supplies and this is now being negotiated.

Councillor Lichter said he had noticed an article on wheelchairs that can safely navigate stairs and this may be the answer to the problem.

It was suggested that the Bedford-Waverley High School be named the Charles P. Allen High School after a former area resident who used to have a chair factory. He was a veru capable man and this name is being recommended by the Councillors, student's union selection committee and the principal.

Councillor Cosman suggested that the playing field be named after Donald P. Curran. His name was a possibility for the school and in lieu of the school being named for someone else, this would be a good thing to do. Mr. Curran is still alive and sets a fine example to everyone. This would be an honour to him.

Councillor Lachance invited all the Councillors to see the opening of the Bell Park Academic Centre and the Gaetz Brook School which are nearing completion. There were difficult times encountered with both of these schools.

It was moved by Deputy Warden Gaetz, seconded by Councillor Sutherland:

"THAT the Report of the School Capital Program Committee be approved." Motion Carried.

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

"THAT the Bedford-Waverley High School be named the Charles P. Allen High School." Motion Carried.

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

"THAT the playing field at Charles P. Allen High School be named the Donald Curren Playing Field." Motion Carried.

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

"THAT Council adjourn to 6:00 p.m. for supper." Motion Carried.

At 6:00 p.m. Mr. Bensted called the roll. Councillor Lawrence suggested that this session be abbreviated as much as possible by dealing with the nominations and any other important items and then adjourning until January 6.

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

"THAT the Report of the Finance and Executive Committee be approved." Motion Carried.

Concerning the Report of the Finance and Executive Committee, Councillor Lawrence feels the appointment of a project co-ordinator is not being handled the way she understood it would be. The School Board recommended the hiring of a project co-ordinator who would be an employee of the County. This was very specific in the School Board's recommendation.

Councillor Deveaux said Mr. Gillis will be reporting on this at the School Board Committee meeting tomorrow. In the future, Mr. Gillis or his assistant will be attending meetings of the School Capital Program Committee. Councillor Lachance said it was his understanding that a person was being hired for the purpose of being a co-ordinator. Now it seems that Mr. Gillis is being asked to take on more responsibility.

Councillor Fader said there was a breakdown in communications here. It seems that plans were sent to the Municipal School Board and they did not get to either Mr. Gillis or Mr. Casey. Councillor Lachance suggested that the matter of co-ordinator be deferred until the next session of Council.

It was moved by Councillor Lachance, seconded by Councillor Lawrence:

"THAT the matter of project co-ordinator re school construction be referred back to the Municipal School Board for further discussion." Motion Carried.

Councillor Topple said that at last month's Council session a motion was passed to hire someone to look after building inspections. This was referred to Finance and Executive and there is nothing in their report on it. He thought he should be invited to any meetings on this. Councillor Fader will be sure to include him when the item comes on their agenda at Finance and Executive. Councillor Topple does not like things being put off all the time. Something must be done about speeding up the process and he hopes that this item will be dealt with at the next meeting of the Finance and Executive Committee. Councillor Fader would not make any promises but said they will deal with it as soon as they can. They have a very large agenda and dealt with some 23 items at their last meeting which was a good day's work. Consideration will be given to Councillor Topple's idea but they are only human and can do only so much. Councillor Topple said that priorities are wrong and that most Committees deal with items as they are referred to them.

Councillor Deveaux said the people in his area are weary of the process too. They have to go to the Building Inspector and then to the Planning Department and he feels that some changes are badly needed so there is not so much running around. Departments such as these two should be close together and it would save a lot of hassle.

Councillor Fader stated the Finance and Executive Committee has met with an architect and informally discussed the possibility of improvements to the present Municipal Building. This will be reviewed and presented to Council. Finance and Executive are also looking at improvements to the parking facilities and they hope to present this whole package to Council in the near future.

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Councillor Cosman asked about the 8 percent increase for non-union employees. She asked if the union members were going to get the same. Mr. Bensted said the union's raise was subject to their contract and negotiations. Councillor Cosman reported that Statistics Canada said inflation had caused the cost of living to raise by 8.8. percent and she feels that both union and non-union employees should get the same. Mr. Bensted said both sets of employees would be treated the same.

Councillor Benjamin asked how many employees were non-union and Mr. Bensted said the greater majority were.

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

"THAT Council approve the tax adjustments re non-profit charitable organizations as recommended by the Finance and Executive Committee." Motion Carried.

It was moved by Deputy Warden Gaetz, seconded by Councillor Poirier:

"THAT Council approve the tax exemption re Seven Day Adventist Academy as recommended by the Finance and Executive Committee." Motion Carried.

It was moved by Councillor Benjamin, seconded by Councillor McCabe:

"THAT Council request the Nova Scotia Police Commission to approve the appointment of the following law enforcement officers -Messrs. Edward A. Brine, Thomas E. Burke, Charles A. Mitchell and Gordon R. Snow." Motion Carried.

It was moved by Councillor Cosman, seconded by Councillor Baker:

"THAT Council request the Nova Scotia Police Commission to appoint the following employees of the S.P.C. be appointed as law enforcement officers - Kathan Nicolle, Elizabeth Croft, Stanley Watson, Robert Maheaux, Ellen Chipman, Jane Crocket, Michael Wilson, Rita Cahill, Robert Cudworth and David Dunham." Motion Carried.

. It was moved by Councillor Walker, seconded by Councillor MacKenzie:

"THAT Council approve the use of the barn on County property opposite the Halifax County Rehabilitation Centre by the Centre for the sum of \$1.00 subject to the Centre keeping the barn in good repair and maintenance." Motion Carried.

It was noted that the barn cannot be used for any purposes other than of the program of the Rehabilitation Centre.

It was moved by Councillor Topple, seconded by Deputy Warden Gaetz:

"THAT temporary borrowing resolution as per attached to the Finance and Executive Committee Report be approved." Motion Carried.

Councillor Lawrence wanted to defer the item from the Finance and Executive Committee Report dealing with the improvements to the Municipal Building pending a report from the Finance and Executive Committee and the space requirements needed. Councillor Lachance asked why this should be held up any longer. Councillor Lawrence explained that the Planning Advisory Committee is recommending that a separate evaluation be done as to how to best use the people working now and how to streamline the whole operation. This should be considered in the whole report. There may be a possibility that additional space is not needed in the building and perhaps it would be more feasible to rent or buy space.

Councillor Fader is anxious to get on with this. If additional building space is required on top of the present structure, the zoning is not adequate and proper zoning will have to be applied for. This should be done as soon as possible to avoid delays. A public hearing takes about four months through the City of Halifax. By delaying this, Council is holding the whole thing back for another 30 days.

Councillor Topple said that it seems that Mr. Fowler, an architect, has already been hired. Councill Fader explained that Mr. Fowler was the original designer of the Municipal Building and he seemed to be the logical person to talk to about renovations to the building.

Councillor MacKenzie noted that although annexations take place, the population seems to move further out in the County and space is still needed in the County Building.

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Councillor Lawrence was concerned that the Finance and Executive Committee seem to have already made up their mind that additional storeys are needed to the building. She still feels that other options should be looked at and her mind is not made up that additional storeys are the best solution.

Councillor Benjamin said it is only logical to go back to the original designer of the building for advice - Mr. Fowler. Finance and Executive are only looking at the facts and have not made a decision yet. They will explore the facts and then make a recommendation. The staff have said they need additional space and there is still a parking problem.

Councillor Cosman said Council has been waiting 14 months for a sound system and it will not hurt another month if this item is deferred. Bedford has an application before PUB for status as a town and there have been other changes made to the present building so that it is not actually known whether additional space will be required in the long run. There is a lot of office space available and a decision should not be made on this.

It seemed to Councillor Walker that the Chairman of the Finance and Executive and Planning Advisory Committees are going at this in different ways. Both parties should make their investigations and then make a decision.

Councillor Lachance thought both Committees were going after different things. Before engaging an architect and starting rezoning applications, Council should know where they are going. He does not think that Finance and Executive should make decisions without Council's approval first. He goes along with the recommendation by the Planning Advisory Committee and then a decision be made after that. Councillor Deveaux agreed that all avenues should be explored.

Councillor Margeson said the Planning Advisory Committee has discussed the various needs of individual departments to find out what is needed. The Finance and Executive Committee are being criticized for doing their job. All factors should be reviewed and it certainly would not hurt to know how much everything will cost.

Councillor Eisenhauer was concerned that expansion will be in the City and not the County. Costs should be explored. The Department of Health is located in Bedford now and he agrees that a thorough study of the situation should be made. Time should be taken to look at the options. The present building does not utilize the space well.

Councillor Fader only wants the permission of Council to go ahead and bring in ideas. Mr. Fowler has explained some of the bridges that have to be crossed. There will be no increase or decrease in staff even if the Councillor for District 17 leaves should Bedford become a town.

Deputy Warden Gaetz agreed that they are only trying to do a little groundwork and no one has been hired yet.

Councillor Topple wants the whole matter of whether space is needed explored further. Maybe an office in the Eastern Shore would help to solve the present problem. There is certainly a lot of office space around and temporary space could be used until a solution is reached.

It was moved by Councillor Lawrence, seconded by Councillor Cosman:

"THAT the item re space requirements in the Municipal Building be deferred until the Finance and Executive Committee Report on Item # 9 of the Planning Advisory Committee." Motion Defeated.

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

"THAT the Finance and Executive Committee be authorized to have an architect carry out a preliminary cost survey of the Municipal Administration Building re additional space and parking requirements." Motion Carried.

Councillor MacKenzie feels expansion should go out and not up. Councillor Fader stated the Committee will look at all possibilities when they do their Report.

It was moved by Councillor Cosman, seconded by Councillor Baker:

"THAT the Nominating Committee will not fill the vacancies on the various Committees until the vacancy on County Council is filled." Motion Carried.

Councilior Margeson said the meeting with the Fire Chiefs and members of the negotiating team was held and they were pleased with the way it was handled by the clerk, Comptroller and Solicitor. They are to be commended.

It was moved by Councillor Margeson, seconded by Councillor McCabe:

"THAT the Supplementary Report of the Finance and Executive Committee