

Mr. Kelly read the report. The Planning Advisory Committee recommended that the application be approved and a public hearing be held on February 24, 1986, at 7 p.m.

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

"THAT this application be approved and a public hearing be held on February 24, 1986, at 7 p.m."
Motion Carried.

Application No. DA-CH/W-27-85-17 - Development Agreement - Edwards Fine Foods Ltd., 960 Cole Harbour Road

Mr. Kelly advised that the Planning Advisory Committee recommended to Council that a public hearing be held on February 24, 1986, at 7 p.m.

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

"THAT a public hearing be held on this matter on February 24, 1986, at 7 p.m."
Motion Carried.

Application No. DA-CH/W-36-85-17 - Development Agreement - Roger and Yvette Salloum, 958 Cole Harbour Road

Mr. Kelly advised that it is the recommendation of the Planning Advisory Committee that a public hearing date be set. The suggested date for the public hearing is February 24, 1985, at 7 p.m.

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

"THAT a public hearing respecting this development agreement be held on February 24, 1986 at 7 p.m."
Motion Carried.

DIRECTOR OF DEVELOPMENT'S REPORT

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

"THAT the Director of Development's report be received."
Motion Carried.

EXECUTIVE COMMITTEE REPORT

Property Transfer

Mr. Kelly advised that the Executive Committee had received a report from Mr. E.A. Brine, Property Manager, respecting the transfer of property from the Municipality to Mr. Douglas G. Scott. Mr. Brine indicated in his report that a request had been received to convey lands at Middle Musuqodoboit from the Municipality to Mr. Douglas G. Scott. The report indicated that the property was originally owned by

Mary E. Scott and several years ago it was transferred to the Overseers of the Poor. More recently it has become assessed to the County of Halifax. Since the County has made no use of the property and has no claim to it, it is the recommendation of the Executive Committee that the property in question be transferred to Douglas G. Scott by means of a Quit Claim Deed.

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

"THAT the County convey this property at Middle Musquodoboit to Douglas G. Scott by way of Quit Claim Deed."
Motion Carried.

Temporary Borrowing Resolution

Mr. Kelly advised that the Executive Committee had received a renewal temporary borrowing resolution in the amount of \$1,200,000 for Halifax County Industrial Commission - Lakeside Industrial Park. It is the recommendation of the Executive Committee that this borrowing resolution be approved.

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

"THAT a temporary borrowing resolution in the amount of \$1,200,000 for the Halifax County Industrial Commission - Lakeside Industrial Park be approved."
Motion Carried.

Request for Loan - Harrietsfield Volunteer Fire Department

Mr. Kelly read the report from the Executive Committee advising that the loan is for the purchase of a fire pumper vehicle, and that the Executive Committee recommends approval of this loan.

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

"THAT approval be granted for a loan advance to the Harrietsfield Volunteer Fire Department in the amount of \$135,000 for the purchase of a fire pumper vehicle. The loan will be repaid over a ten (10) year period of principal and interest with Council reserving the right to levy a rate in default of principal and/or interest repayments."
Motion Carried.

Councillor P. Baker wondered if it was possible for a loan such as this to be approved without the consent of the District County Councillor. Mr. Meech advised that it probably would not reach the Council Session without endorsement by the District County Councillor.

AGENDA ITEMSCouncillor Mont - Sunday Store Hours

Councillor Reid declared a conflict of interest.

Councillor Mont advised Council Members that he had received a petition in regard to Sunday Store Openings from some members of the Cole Harbour United Church. The petition was in favour of the statement of the Joint Council of Churches. This statement had been brought to Council's attention earlier. Action from the County of Halifax to eliminate Sunday shopping was requested. This petition was signed by approximately 40 people, and he stated that he would make copies of this petition available to other Councillors. Councillor Mont inquired of the Warden where the County of Halifax stands on this matter. Councillor Mont pointed out that the Dartmouth By-law has some legal flaws in it; the Town of Bedford has indicated that they will be reconsidering this matter; and the City of Halifax is still consistent in that they do not favour Sunday shopping. Councillor Mont requested clarification of where the matter stands according to the County of Halifax. He advised that in Forest Hills, the stores are staying open on Sunday, and these stores are doing a lot of business on Sundays. There are obviously people who are in favour of this service because they are using it.

Warden MacKenzie advised that he felt that this whole issue should be discussed with the Metropolitan Authority.

Mr. Kelly advised that it would be the intention to consider the by-law at the next session of Council on February 4, 1986.

Councillor Mont suggested that the petition could be read and dealt with at the next Council Session in order to give some sort of reply to residents after the matter is dealt with on February 4, 1986.

Councillor McInroy suggested that perhaps the Metropolitan Authority or the quasi committee of Chief Administrative Officers should have a look at the matter in order to have consistency with other Municipalities in the immediate area. In such a close commune, it does not make such sense to go in our own direction on this matter as it such an impact. Perhaps this meeting would lead to something that is acceptable to the Metro area as a whole.

Councillor McInroy suggested that Council ask Chief Magistrates and the Chief Administrative Officers to have a meeting, discuss this issue, and bring their recommendations back to the next session of Council. The discussion and recommendations should be incorporated into a report to Council to see if the major concerns can be uniformly presented in a recommendation to all the Municipalities.

Councillor Deveaux expressed concern over the possibility of the County losing control over the final decision that is made regarding this matter. He clarified that any decision made from an outside

meeting would then have to come back to Council for a final decision. Councillor McInroy advised that his intent was not to pass this matter onto somebody else for a final decision, but for the Chief Magistrates and the Chief Administrative Officers to review this issue and make recommendations from such a meeting - recommendations that might have some common base from each metro Municipality. Warden MacKenzie clarified for members of Council stating that the Chief Magistrates and the Chief Administrative Officers of the metro Municipalities would convene a meeting, discuss the matter, and bring recommendations back to the next session of Council. Councillor McInroy agreed, pointing out that the final decision may be unique to the Municipality, but it would not hurt to have this meeting to see if the major concerns can be uniformly presented in a recommendation that can go to all the Municipalities.

Councillor MacDonald pointed out that our surrounding Municipalities are presently trying to deal with this matter, and Halifax County should also carry on and try to come to a decision on their own. Our intentions might be different than that of the City of Halifax, and if we try to come together on a recommendation through the Metropolitan Authority, it may turn out like the Transit Cost Sharing matter and take three or four years to reach a final decision.

Councillor DeRoche expressed opposition to the meeting of the Chief Magistrates and Chief Administrative Officers, stating that two cities have already made their decisions on this matter, and such a meeting may force the County of Halifax to be influenced by these decisions. Councillor Mont advised that the City of Halifax has made it clear that they are opposed to Sunday shopping, although it is not quite clear as of yet what position the City of Dartmouth is taking on this matter.

Deputy Warden Wiseman advised that this discussion is omitting the Town of Bedford, whose decisions would affect that of the County of Halifax. She also advised that the Town of Bedford do not appear to be any closer to a decision than does the Municipality. If any discussions are going to be held, they should also involve the Town of Bedford.

Councillor P. Baker pointed out that some Councillors must consider the Council of the Municipality to be followers of the City of Halifax or the City of Dartmouth. He informed members of Council that we can make our own decisions without waiting for the decisions of any other metro Municipality. Perhaps they would follow our decision for a change.

Several members of Council expressed agreement with Councillor P. Baker on this matter.

Councillor Deveaux suggested that we bring the matter back to the next Council Session for a final decision on our own.

There was general agreement from the Councillors.

MEETING, RE NOVA SCOTIA POWER CORPORATION OFFICIAL

Warden MacKenzie welcomed Mr. David Hebb to the Council Chambers, and advised him that we have had some discussion regarding street lighting problems in different districts of the County. Mr. Hebb stated he would respond to questions from Councillors.

Councillor P. Baker advised that he had previously expressed concerns at Council Session and prior to expressing these concerns, he had made representation to the Nova Scotia Power Corporation through County staff. These complaints to the Power Corporation were regarding the large number of burned out lights and broken shades. Councillor P. Baker was advised that these lights would be replaced; however, there are still approximately 13 lights still out in the Goodwood area. Councillor P. Baker pointed out that we are paying approximately \$8.32 per light regardless of whether or not it is on. The tax payers are putting this money out for a service that they are not receiving.

Councillor Merrigan advised that he refused to point out lights in the Beaverbank area so that the Nova Scotia Power Corporation would come out and fix them. One lady of the Tucker Lake Road pointed out to Councillor Merrigan that half of the lights in her area are out, but Councillor Merrigan said that he would not point these out to employees of the Nova Scotia Power Corporation because the Councillors have been doing this for the Power Corporation for too long. Perhaps the matter would be resolved by deducting the necessary amount for each non-working light out of each bill. This might make the Nova Scotia Power Corporation aware that a solution to this problem is necessary.

Councillor DeRoche asked Mr. Hebb if there have been any changes in policy or procedure within the Nova Scotia Power Corporation recently. Mr. Hebb advised that there have been in some districts. In some districts there has been a blanket approval given to proceed with repairs on up to 50 lights. Councillor DeRoche advised that he is not experiencing any difficulty in his district with respect to installation of new units or the replacement of vandalized units. The problem seems to be replacing the burned out lights. Councillor DeRoche has been advised by various members of his district that they call the Nova Scotia Power Corporation for replacement of a unit, they locate it as best they can according to civic number or some geographic location, and nothing seems to be done about it. This appears to be an increasing situation since about September. Nobody seems to be attending to the replacement of burned out lights. Could there be a breakdown in communication internally, and these messages are not getting through to the proper parties? Mr. Hebb advised that this is a possibility, but he did not expect that it happens very often.

Councillor Deveaux questioned Mr. Hebb as to which districts had received the blanket approval for the replacement of up to 50 lights. Mr. Hebb advised that districts 15, 16, 18, 19, and 20 were involved

in this blanket approval. Councillor Deveaux asked Mr. Hebb what happened to the other side of the harbour. Mr. Hebb advised that there appears to be no approval for such repairs in this area, but the Nova Scotia Power Corporation would be open to discuss the matter. He indicated that Councillor Deveaux could get in touch with the local district people, Mr. Raymeor or Mr. Fraser and indicate to them what you would like to have done.

Councillor Deveaux asked Mr. Hebb is the Nova Scotia Power Corporation still have people going out at night to check for broken and burned out lights, and if not, is there any intention of the Corporation to reinstate this procedure. Mr. Hebb advised that they used to have a "trouble man" in the metro area to respond to trouble calls after hours and do some street light repair work, but his prime responsibility did not include patrolling to identify areas with burned out lights. Since then, there is a stand-by arrangement where any complaints made during the evening would be reported to the people who are responsible the next morning. It is not normal practice to do street light replacement work after hours unless there is a particular critical security situation or a critical traffic situation on an interchange. This would be an exception rather than the norm.

Councillor Eisenhower advised that the employees themselves seem to be the biggest spot light getters. He noted that when he notices a light out, it usually gets repaired without him getting involved in the dialouge with the Power Corporation. Therefore, it is obvious that the Nova Scotia Power Corporation must be responding to calls from the public. Councillor Eisenhower advised that he has a policy regarding broken shades is to enter into dialouge with the dispatcher of the lights to find out how many times they have been repaired, and if they have been repaired on several occaions, they advise that perhaps that light should be relocated. Councillor Eisenhower pointed out that when he does place red ribbons on lights that are in need of repair, he expects action to be taken quickly; otherwise, the ribbons disappear and the time of putting the ribbons there was wasted. The last time this was done, it took the Power Corporation about one and a half months to repair them. He asked Mr. Hebb if there are any problems internally with the Corporation because there has definately been a slow down in the response time of getting fixtures repaired. Mr. Hebb advised that the Corporation responds directly to calls from customers for burned out lights due to normal wear-and-tear. The vandalized lights have to be approved by Councillors in order to be repaired because it is the County who is responsible for the cost of those lights. The identification of these lights by red ribbons, etc. is really action that does not always work. It would be better to get specific identification for locations of various lights. Regarding stock of lights, it is possible that sometimes the Corporation does run into supplier problems, but normally a stock of lights is kept on hand. Good communications is probably to key to this whole situation. It is, however, not the present policy of the Corporation to patrol the street lights after-hours to identify the lights that are out.

Councillor Merrigan agreed with Mr. Hebb in that communications is a big problem. One recommendation would be to have notices sent to customers with their bills informing them what they should do when they have burned out street lights or broken shades, advising them NOT to call their Councillor. This is a problem that should be on the back of the Nova Scotia Power Corporation and not the backs of the Councillors. Mr. Hebb informed that he would be more than willing in this regard to make sure that all customers are fully aware of the procedure to follow in the event that they do have a burned out street light. It would also be appreciated if the same word could be spread around by the Councillors themselves.

Councillor P. Baker suggested that it be mandatory to have a night patrol, even once a week, to drive around each district and take notes about which lights are burned out and which lights are broken. Councillor P. Baker advised that he has gone out and identified lights that are not working and brought a sketch into Mrs. Clahane to have sent to the Power Corporation so that they can find these lights to repair them. However, this should be the responsibility of the Power Corporation to do this. It would certainly help to have a night person do this, perhaps even twice a month. It would be a good job for students to be out checking lights in the various districts at night. It would have two advantages: it would be giving a good service to the communities, and it would be providing employment for young people. Mr. Hebb advised that he is not in any kind of a position to say that the Corporation would proceed with that kind of an arrangement. It has to be remembered that such a procedure would have to be taken by the whole province and not just the County of Halifax. Present economic restraints would not permit such action at this point in time. Councillor P. Baker agreed with Councillor Merrigan, suggesting that the burned out lights will be counted and not paid for.

Mr. Hebb suggested that if the County Councillors were seriously considering this, they should enter into a formal agreement with the Power Corporation.

Councillor P. Baker advised that there was a light in the West Dover area that was vandalized three times and each time, the light was replaced. Councillor P. Baker did not authorize any such replacement of lights that were vandalized. He has a policy to have lights removed that are vandalized over and over again.

Councillor MacDonald asked Mr. Hebb if the Nova Scotia Power Corporation still had the policy of numbering poles. Mr. Hebb advised that this is not a policy at present. However, if there are numbers on any poles in your area, they could be used for identification purposes. Councillor MacDonald advised that the Sackville area is fairly well maintained, but residents of the area are being advised by the Nova Scotia Corporation to call the Councillors when they are making complaints to the Corporation. Mr. Hebb advised that he would certainly speak to the person in authority regarding this to see that it does not happen again. Councillor MacDonald also asked Mr. Hebb if

the wind could blow street lights out. Mr. Hebb answered yes, if the wind is strong enough. Councillor MacDonald commented that on the Windsor Highway some nights the lights are out and the next night they are on, particularly on windy nights. Is this because of the wind? Mr. Hebb suggested that it may be something in the circuitry that the wind has an affect on which gives an intermittent fault on the circuit.

Councillor Walker advised that he does not have any street lights in his district, and asked Mr. Hebb what costs would be involved in getting street lights and who is responsible for these costs? Mr. Hebb advised Councillor Walker that the initial capital cost is the responsibility of the Nova Scotia Power Corporation, with the exception of any areas that do not have existing distribution poles. If poles have to be put in for the purpose of supporting street light installation, that cost is the responsibility of the County. The cost of replacing fixtures due to vandalism or abnormal breakage is also your cost. The on-going costs that you would have would be the cost of operating the light, which is based on Nova Scotia Power Corporation rates. Councillor Walker inquired as to who is responsible for these costs if the lights are privately owned? Mr. Hebb advised Councillor Walker that the individual is responsible, and if continuous vandalism is the case, the Nova Scotia Power Corporation would refuse to keep replacing the fixture over and over again.

Councillor MacKay advised that the service in the Sackville area has been excellent. However, Joe Jones in the Bedford Depot was somewhat handicapped last year because of a shortage of supply. Perhaps a shortage of manpower towards the last part of 1985 may have also been a cause. Other than these two facts, the service rendered to the Sackville area has been very good. Councillor MacKay asked Mr. Hebb what kind of procedures are used for ordering equipment because at various times of the year for the past two or three years, the Nova Scotia Power Corporation has been completely out of new fixtures. Mr. Hebb advised that the Corporation has had an abnormal year as far as customer growth is concerned, and this probably caught up with employees in terms of providing new services but also for all the new subdivisions. Also we do have problems with suppliers, which affects the length of time that it takes to provide some of these services. This is avoided as much as possible, but it is just not possible to avoid it all the time.

Councillor Eisenhauer advised Mr. Hebb that he would be satisfied tonight if he was given assurance that some of the concerns expressed here would be looked into. He asked Mr. Hebb how the residents can help in identifying the different types of burned out lights. Mr. Hebb advised that if the public could identify burned out lights to the field inspectors it would help the situation. Mr. Hebb advised that he will certainly carry forward the amount of thought you have put into not paying for lights that you feel you should not be paying for. Something in written form should be submitted to the Nova Scotia Power Corporation, but in the meantime, Mr. Hebb advised that he would take these concerns back to the Corporation with him.

Councillor Snow asked Mr. Hebb if it would be more economical to remind people that are in street lights areas to give them a phone number to call. It is easier for the residents to identify street lights themselves instead of going through the second party - the Councillor. Mr. Hebb advised that he would speak to the Public Relations employees and try to get something going on this matter.

Warden MacKenzie thanked Mr. Hebb for coming in, and explained that he is now aware of the problems of residents in areas where street lights are. He also stated that we hope to see our service improved.

AGENDA ITEMS CONTINUED

Lakeside Treatment Plant

Councillor P. Baker advised that there is a proposal from the City of Halifax to use the Lakeside Treatment Plant for servicing of their industrial park. He expressed concern over the possible pollution of the Nine Mile River, which runs through his district., and questioned the Warden on the position of the Municipality in this situation. Warden MacKenzie advised that he, Mr. Meech, and Councillor Poirier had been invited to attend a meeting at the office of the Honourable David Nantes, Minister of Municipal Affairs. At that time, the Minister indicated that he was there only as a facilitator and he was not going to give any opinions. Warden MacKenzie advised that he, Councillor Poirier, and Mr. Meech had agreed to wait for a formal request from the City of Halifax, and then bring it to Council for a decision about what could be done.

Councillor Poirier pointed out that she felt the City of Halifax is not at all concerned with environmental factors, but money only. Councillor Poirier stated that she could accept being gently persuaded to accept the city's hookup onto this system, but she cannot accept being forced. She pointed out that the City of Halifax always takes the lead, and feels that the County of Halifax should take the stand on this matter.

Members of Council agreed to move onto the next item.

Councillor Lichter - Meagher's Grant Post Office

Mr. Meech read a petition that was signed by 194 residents of Meagher's Grant. The petition was in opposition to the closing of the Post Office in this community.

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

"THAT letters be forwarded to the Minister in charge of Canada Post and to the M.L.A. and M.P. for the area requesting that serious consideration be given to maintaining this Post Office."
Motion Carried.

Councillor Lichter pointed out that there are a number of residents in the area that would be interested in taking over the post office. The only qualifications for the position are some experience with dealing with money, and having the space to accommodate the Post Office. Post Offices in small communities are usually in private dwellings, and there would be little cost saving measures in shutting down the Post Office.

Councillor Deveaux - Mail Delivery

Councillor Deveaux informed members of Council that a resolution had been passed earlier regarding this matter. The resolution was in favour of reinstating the door to door delivery. Councillor Deveaux stated that he would appreciate it if something could be done towards looking into this.

Councillor Mont shared these concerns with Councillor Deveaux, and suggested that we have Canada Post Office representatives come before Council to have questions answered.

Warden MacKenzie advised that a report has been prepared and forwarded to Council. This report might be of some interest to Councillors as it contains approximately 45 to 50 recommendations regarding postal service.

ADDITION OF ITEMS TO THE FEBRUARY 4, 1986 COUNCIL SESSION

Councillor Fralick advised that the Scouts, Cubs, and Guides will be in attendance at this Council Session.

Councillor MacDonald - Springfield Lake

Councillor Merrigan - Beaverbank Road

ADJOURNMENT

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

"THAT Council adjourn."
Motion Carried

PUBLIC HEARING

JANUARY 27 1986

PRESENT WERE Warden MacKenzie
Councillor Fralick
Councillor P. 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 Mont

ALSO PRESENT Mr. G.J. Kelly Municipal Clerk
Mr. R.G. Cragg, Municipal Solicitor
Mr. K. Birch Director of Planning and Development
Mr. Brant Wishart, Planner

SECRETARY: Glenda Higgins

CALL TO ORDER

The Warden called the Public Hearing to order at 7:05 p.m. with the Lord's Prayer

ROLL CALL

Mr. Kelly called the roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor DeRoche seconded by Councillor Mont:

"THAT Glenda Higgins be appointed as Recording Secretary."
Motion Carried.

APPLICATION NOS. PA-SA-06-85 and ZA-SA-61-85-20 - PROPOSED AMENDMENT TO
THE MUNICIPAL PLANNING STRATEGY AND LAND-USE BY-LAW FOR SACKVILLE
(SACKVILLE TOWN CENTRE)

Mr. Wishart advised that Alderney Consultants have requested, on behalf of East Coast Properties Limited, that the Municipal Planning Strategy and Land-Use By-law for Sackville be amended in order to permit the construction of three apartment buildings, containing 90 units in total, and eventually 16 two unit dwellings on the corner of First Lake Drive and Metropolitan Drive. Mr. Wishart informed members of Council that the parcel in question is approximately 7 acres in size, is now located in the General Commercial Designation, and is zoned C-2 (General Business) Zone, which does not permit new residential development.

The applicant is requesting that this property be redesignated to Urban Residential Designation to permit the application of a Comprehensive Development District on the site. A Comprehensive Development District means that the whole project would have to proceed by means of a Development Agreement, and the specifics of this proposal would again have to be reviewed by Council. However, tonight Council is only concerned with whether or not the site, at this corner, should be developed in a commercial fashion (as the plan now states) or in a residential fashion (as is proposed).

Mr. Wishart advised that the Town Centre provides adequate commercial space for the surrounding area, and there appears to be no interest in more commercial development. He also advised that there is a need for apartments in Sackville. The vacancy rate in the area continually persists below one percent indicating a clear demand for this type of housing. This site is also well located in terms of recreational facilities including the arena, schools, churches, and parkland. This proposal has been reviewed by the School Board, and they have stated that a proposal of this nature could be handled as far as any influx in students is concerned. The Department of Transportation has agreed to an access onto First Lake Drive. Also the Department of Engineering and Works has reviewed this proposal and has some concern about the adequacy of the pumping station in the area. However, the applicant has stated that he is willing to put up a \$15,000 bond to cover any costs of upgrading the pumping station. The Department of Engineering and Works has indicated that this amount would be more than adequate.

Mr. Wishart recommended to Council that this application be approved. The plan supports this type of development and states that it is in keeping with the intent of encouraging well-planned residential neighbourhoods.

QUESTIONS FROM COUNCIL MEMBERS

Deputy Warden Wiseman asked Mr. Wishart what the two file numbers on this application indicate. Mr. Wishart identified the first file

number as a representation of the change in the plan by redesignating the site from the General Commercial to Urban Residential. The second file number represents a zoning amendment which applies to the form of a CDD zone on the site. Two file numbers indicate that there will be two separate motions required by Council.

Deputy Warden Wiseman advised that there were a number of questions brought forward after the Public Participation Meeting in Sackville, and the Planning Department was asked to examine and consider these questions prior to the Public Hearing tonight. However, now it is the understanding that these questions will be dealt with in a CDD agreement. Mr. Wishart informed Deputy Warden Wiseman that yes, this is the case. The CDD agreement will outline specifics, such as setbacks from neighbouring uses, the number of units, servicing, etc. Mr. Wishart pointed out that originally the whole area was proposed for amendment, but it has since be cut down to the seven acre parcel being discussed tonight. This was a result of the Public Participation Meeting.

Deputy Warden Wiseman requested assurance that Council will have the opportunity to review the specifics of the agreement before it is finally endorsed; more particularly the number of Access points onto First Lake Drive. Mr. Wishart advised that Council will have this opportunity at a Public Hearing during the development agreement process.

Councillor Eisenhauer asked Mr. Wishart if this lot is the one that abutts the Sackville Town Centre. Mr. Wishart advised that yes, it is. Councillor Eisenhauer suggested that the change of this property to a residential status may be detrimental to the shopping centre. Mr. Wishart advised that he understands that the developer has tried to market this land as commercial for some time, but has not been successful. Therefore, he has decided that this is a better way to develop this property, and the Planning Department agrees with him in that this is a good site for multi-unit development. If this change to a residential status is approved, the property would be lost to commercial development. Councillor Eisenhauer suggested then that the impact of what could happen to that shopping centre is dependent upon what action is taken by Council tonight. Mr. Wishart advised that the shopping centre still has room to expand as it is on a fairly big lot.

SPEAKERS IN FAVOUR OF THIS APPLICATION

Steve Moir, Alderney Consultants, advised that the purpose of these changes in the Municipal Development Plan and the Zoning By-law is to allow residential development on the property rather than commercial development. Mr. Moir advised that the client who is making this request has approached oil companies, food stores, fast food outlets, retail stores, and the owners of the shopping centre itself, and none have indicated any interest in developing this property commercially either now or in the future. Mr. Moir also pointed out that there are restrictive covenants that go with the property with regard to the uses within the shopping centre. This acts to reduce the commercial interest in this property.

Mr. Moir advised that one of the concerns that came forth at the Public Participation Meeting in Sackville was traffic - people turning left into this development. Mr. Moir informed Council members, however, that written confirmation had been received from the Department of Transportation that they are not concerned with the concept as it is shown. He did indicate a willingness to negotiate with staff on the Development Agreement specific changes that may be required in the development.

QUESTIONS FROM COUNCIL

None.

John Lindsay, President, East Coast Properties, informed Members of Council that East Coast Properties were the original developers of the Sackville Town Centre. At the time of its development it was planned that there would be a much larger group of houses surrounding that centre because the Second Lake area was proposed by the Housing Corporation, as well as other development in the area. These developments have been delayed by many years or cancelled all together. Consequently, the lack of support has ended with the shopping centre not being able to expand as originally planned. The present owners of the shopping centre have been contacted on a number of occasions, and they have advised East Coast Properties that they have no plans or no need for the seven acre site. They have no plans for expansion, and they would welcome further residential development in the area as further support for the shopping centre.

Mr. Lindsay advised that various retail people in the area, Canadian Tire for one, had been contacted, and there was no interest for this type of use. There are also some registered restrictions on this site as per a requirement at the time of the development of the shopping centre. However, nobody has questioned the limitations; they simply have not shown the interest in developing it commercially. A number of people have approached East Coast Properties about who will be developing this land residentially. Mr. Lindsay indicated that this development will be done by East Coast Properties, as will the marketing.

QUESTIONS FROM COUNCIL

Councillor MacDonald asked Mr. Lindsay what the price range might be on one of these apartment units. Mr. Lindsay replied that he cannot give an exact price, but it has been discussed, and the range is usually in the \$550 to \$575 per month range for a two bedroom apartment. This is slightly below the rental rates for Bedford. However, a definite amount cannot be given. The market will determine this for sure.

Councillor MacDonald then asked Mr. Lindsay about the length of time it would take to develop this site. Mr. Lindsay replied that they hope to have the development almost completed in the year 1986. Most of the construction will take place this year, although it may run into 1987.

Councillor MacDonald advised that there is presently a lot of water in the culverts as the development now stands, and he asked Mr. Lindsay what arrangements are being made for storm drainage. Mr. Lindsay replied that Engineering drawings, prepared by Alderney Consultants have been submitted, and storm drains and the necessary storm drainage that would be required from the roads and parking lots are shown. This would run into the storm drainage system that presently exists.

Councillor Eisenhower pointed out that the businesses that are in the Sackville Town Centre have never been very successful, and he always maintained that it was because of an anchor store not being at the other end to create that traffic. Obviously, if the current owners have no interest in further developing this commercially, there is not much that can be done about it. Councillor Eisenhower expressed thanks that the developers had sought opinions from the present owners of the shopping centre and other retail and commercial businesses. Mr. Lindsay again advised that the shopping centre has not been successful because of the lack of development around the centre.

SPEAKERS IN OPPOSITION OF THIS APPLICATION

None.

Deputy Warden Wiseman asked Mr. Wishart if Council will have any control about actually what goes on on this property after rezoning it. Mr. Wishart advised Deputy Warden Wiseman that Council will still have control over what takes place on this property, because the CDD designation freezes what can be done on the property until such time as a Development Agreement is negotiated.

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

"THAT the Municipal Planning Strategy be amended by amending the Generalized Future Land Use Map (Map 1) by redesignating the area shown in Appendix "A" from "General Commercial" to "Urban Residential."
Motion Carried.

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

"THAT the Sackville Land-Use By-law be amended by amending Schedule "B" by rezoning Lot T.C. - 2D of the Sackville Town Centre Limited Subdivision from C-2 (General Business) Zone to CDD (Commercial Development District)."
Motion Carried Unanimously.

RA-TLB-68-85-02 - REQUEST TO AMEND THE TIMBERLEA/LAKESIDE/BEECHVILLE LAND-USE BY-LAW BY REZONING LOT M-2 OF THE SUBDIVISION OF LANDS CONVEYED TO WILLIAM MILSON, LOCATED ON THE ST. MARGARET'S BAY ROAD AT TIMBERLEA FROM R-1 (SINGLE UNIT DWELLING) ZONE TO R-2 (TWO UNIT DWELLING) ZONE.

Mr. Wishart outlined the report advising that the application is by a Mr. Walsh to rezone a parcel of land in Timberlea from R-1 (Single Unit Dwelling) Zone to R-2 (Two Unit Dwelling) Zone. He advised that the property is approximately 10,000 square feet on Highway No. 3, and there are a mixture of land-uses in the area which include an apartment building, a fire hall, Walker's Funeral Home, and single unit development. The lot is presently vacant, and the applicants' have stated that when they do built, they would like to put a basement apartment in the house. This zone amendment is fully supported by the plan in terms of engineering, water services, and surrounding land use. Therefore, from a planning perspective, there is no reason why this application cannot be approved.

QUESTIONS FROM COUNCIL

None.

SPEAKERS IN FAVOUR OF THIS APPLICATION

None.

SPEAKERS IN OPPOSITION OF THIS APPLICATION

None.

Councillor Deveaux spoke on behalf of Councillor Poirier informing Council members that she had no intention of opposing this amendment, and that she is in favour of the rezoning.

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

"THAT the Land-Use By-law for Timberlea/Lakeside/Beechville be amended by rezoning Lot M-2 of the Subdivision of lands conveyed to William Milson, located on the St. Margaret's Bay Road in Timberlea from R-1 (Single Unit Dwelling) Zone to R-2 (Two Unit Dwelling) Zone."

Motion Carried Unanimously.

DA-SA-32-85-16 - DEVELOPMENT AGREEMENT FOR ADDITIONS TO EXISTING DEVELOPMENT ON LOT 1-B OF LANDS CONVEYED TO WILLIAM WITHROW AND SPORTSWHEELS LIMITED, LOCATED ON SACKVILLE DRIVE AT LOWER SACKVILLE

Mr. Wishart advised that this is a proposed development agreement between the Municipality and Sportswheels Limited for the construction

of a parking lot. Sportswheel Limited is presently located on Sackville Drive, between Sackville Drive and Hillcrest Road. They eventually wish to put an addition onto the front of their building, which they can do according to the C-2 Zone. However, the plan states that if commercial development exceeds over the R-1 Zone boundary, that portion must proceed by means of a development agreement. Mr. Wishart pointed out that there is a stream running through the middle of the property, and the development agreement will not be entered into until such time as all storm drainage plans are approved by the Storm Drainage Engineering. A tree buffer will also be maintained here. From a planning prospective, there is no reason why this applicaton cannot be approved.

QUESTIONS FROM COUNCIL

Councillor DeRoche asked Mr. Wishart why the stream is not specifically addressed in the agreement, as in previous development agreements. Mr. Wishart advised Councillor DeRoche that Section 4 of the agreement covers this item, and it will be addressed more specifically in an appendix at a later time.

Councillor DeRoche's second question concerned access to the parking area. He pointed out that there is nothing in the agreement with respect to the driveway. Mr. Wishart advised that access would be from the right-hand side. Councillor DeRoche mentioned that it is normal to have this included in the agreement as it constitutues part and parcel of the parking area. Mr. Wishart agreed that yes it is normal to have driveway requirements outlined in the agreement, and this agreement could be easily amended to include a clause stating that the minimum width of the driveway would be maintained.

SPEAKERS IN FAVOUR OF THIS APPLICATION

None.

SPEAKERS IN OPPOSITION TO THIS APPLICATION

None.

Councillor DeRoche again expressed the need to have a clause installed into the agreement that would guarantee that the minimum width of the driveway, as identified in Appendix B of this agreement, would be maintained.

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

"THAT approval be granted to the development agreement between the Municipality of the County of Halifax and Sportswheels Limited for Additions to Existing Development on Lot 1-B of lands conveyed to William Withrow and Sportswheels Limited located on Sackville Drive at Lower Sackville, with the amendment that the minimum width of the driveway as identified in Appendix B of this agreement be maintained."

Motion Carried Unanimously

ADJOURNMENT

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

"THAT this Public Hearing adjourn."
Motion Carried.

L6B

STAFF REPORT

TO: Planning Advisory Committee

PROPOSED AMENDMENT TO THE
MUNICIPAL PLANNING STRATEGY AND
LAND USE BY-LAW FOR SACKVILLE

FROM: Dept. of Planning & Development

K. H. [Signature]
DIRECTOR

DATE: November 20, 1985

[Signature]
C.A.O.

FILE NOS: PA-SA-06-85
ZA-SA-61-85-20

RECOMMENDATION

THAT THE SACKVILLE MUNICIPAL PLANNING STRATEGY BE AMENDED BY REDESIGNATING THE LANDS SHOWN ON FIGURE NO. 1, FROM "GENERAL COMMERCIAL" TO "URBAN RESIDENTIAL".

THAT THE SACKVILLE LAND USE BY-LAW BE AMENDED BY REZONING LOT T.C. - 2D OF THE SACKVILLE TOWN CENTRE LIMITED SUBDIVISION AS SHOWN ON FIGURE NO. 2, FROM C-2 (GENERAL BUSINESS) ZONE TO C.D.D. (COMPREHENSIVE DEVELOPMENT DISTRICT).

BACKGROUND

Alderney Consultants Limited has requested, on behalf of its client, East Coast Properties Limited, that the municipal planning strategy and land use by-law for Sackville be amended in order to permit the construction of three multi-unit dwellings (90 units total) and sixteen two-unit dwellings on the corner of First Lake Drive and Metropolitan Drive.

This 7.2 acre parcel of land, as well as the adjacent property, falls under the General Commercial Designation and is zoned C-2 (General Business) Zone, which does not permit new residential development.

The applicant has requested that his property be redesignated to the Urban Residential Designation to permit the application of a Comprehensive Development District (CDD) and the consideration of the entire development proposal by development agreement.

It should be noted that Council rejected a proposal by Stevovan Developments Limited for 34 two-unit dwellings on this same site approximately 18 months ago.

GENERAL COMMERCIAL AND RESIDENTIAL POLICY

A significant element of the Sackville plan is the establishment of a Commercial Core Designation. This designation was designed to accommodate a mix of offices and retail uses, government, community and entertainment facilities, shopping centres, multiple residential developments and open space uses.

At the same time, the plan recognized areas outside the core where commercial development had been established by creating the General Commercial Designation. This designation, which is applied to various locations within Sackville, including the land under consideration, supports smaller scale commercial development with the provision that it does not detract from the development of the core area or cause "undue hardship" to abutting residential development. The General Commercial Designation generally does not permit new residential development.

Although residential development in Sackville is primarily single unit dwellings and the plan offers support for this form of development, the need for multiple unit development is also recognized. Provisions are made through the rezoning process within the Residential Designations and the Commercial Core Designation supports multi-unit development "by right".

THE REQUESTED AMENDMENT

The applicant proposes that three apartment buildings of 24 units, 30 units and 36 units be constructed on the site, along with 16 two-unit dwellings as outlined in Figure 3, Page 7. However, the 16 two-unit dwellings will front on the proposed cul-de-sac and it has been stated that most lots will have greater than 100 foot depths in order to permit a landscaped buffer between the homes and both of the adjacent shopping centre parking lot and the proposed apartment buildings.

The applicant has requested that the development proceed as a Comprehensive Development District (CDD). A CDD offers the opportunity to accommodate developments incorporating a variety of uses and to develop land in a more comprehensive or co-ordinated fashion than can ordinarily be accomplished through "standard" zoning techniques. The use of a CDD, which means that the project can only proceed through the use of a development agreement(s), enables the Municipality to address all aspects of the proposal.

There are a number of arguments in favor of this proposal. The primary one being, that the 'Town Centre' provides adequate commercial space for the surrounding area and there is no interest in more commercial development.

Although recent commercial developments in Sackville have been concentrated in other areas of the community, this does not discount the need for neighbourhood shopping facilities. However, the 'Town Centre' is experiencing 20 per cent vacancy rates, according to assessment records. In addition, much of its space is taken up with services such as health clinics rather than purely retail operations. This demonstrates a lack of demand for further commercial land in the vicinity.

It is also suggested that there is a need for apartments in Sackville. This holds true not only for Sackville, but for the entire metropolitan area. The most recent Canada Mortgage Housing Corporation quarterly report puts the vacancy rate for rental units in the metropolitan area at 0.7 per cent.

The applicant has further stated that residential development would be appropriate for the site as public transit is available and the site is situated near to the arena, schools, churches, parkland and the Kinsmen Recreation Centre.

Policy P-104 of the plan requires that a proposed development not be premature or inappropriate by reason of the Municipality's ability to provide services.

Although the specifics of the proposal would be reviewed in greater detail at the time a development agreement is negotiated, the proposal does not appear to be either premature or inappropriate. The School Board has stated that it can handle any student influx that this development could generate and the Department of Transportation has agreed to an access onto First Lake Drive.

The proposal has been reviewed by the Department of Engineering and Works, which is concerned with effects of the development on the pumping capacity of the sewerage lift station at First Lake. However, the applicant has stated that he is willing to post a bond for \$15,000.00 to be used to upgrade the lift station, if the development's flow capacities exceed the design capacity for the site. The exact terms of a bond would be determined as development agreements are being negotiated.

In conclusion, Council is advised that elements of the present proposal can be changed if the request is successful and development agreements are negotiated. What is of major importance with respect to the planning strategy is whether this site would be best developed in a commercial or residential fashion.

CONCLUSION

There are now adequate commercial sites in Sackville to supply foreseeable demand. As was indicated, the 'Town Centre' Mall has a vacancy rate of approximately 20 per cent. In addition, there are significant vacant commercial holdings on Sackville Drive and in the Commercial Core.

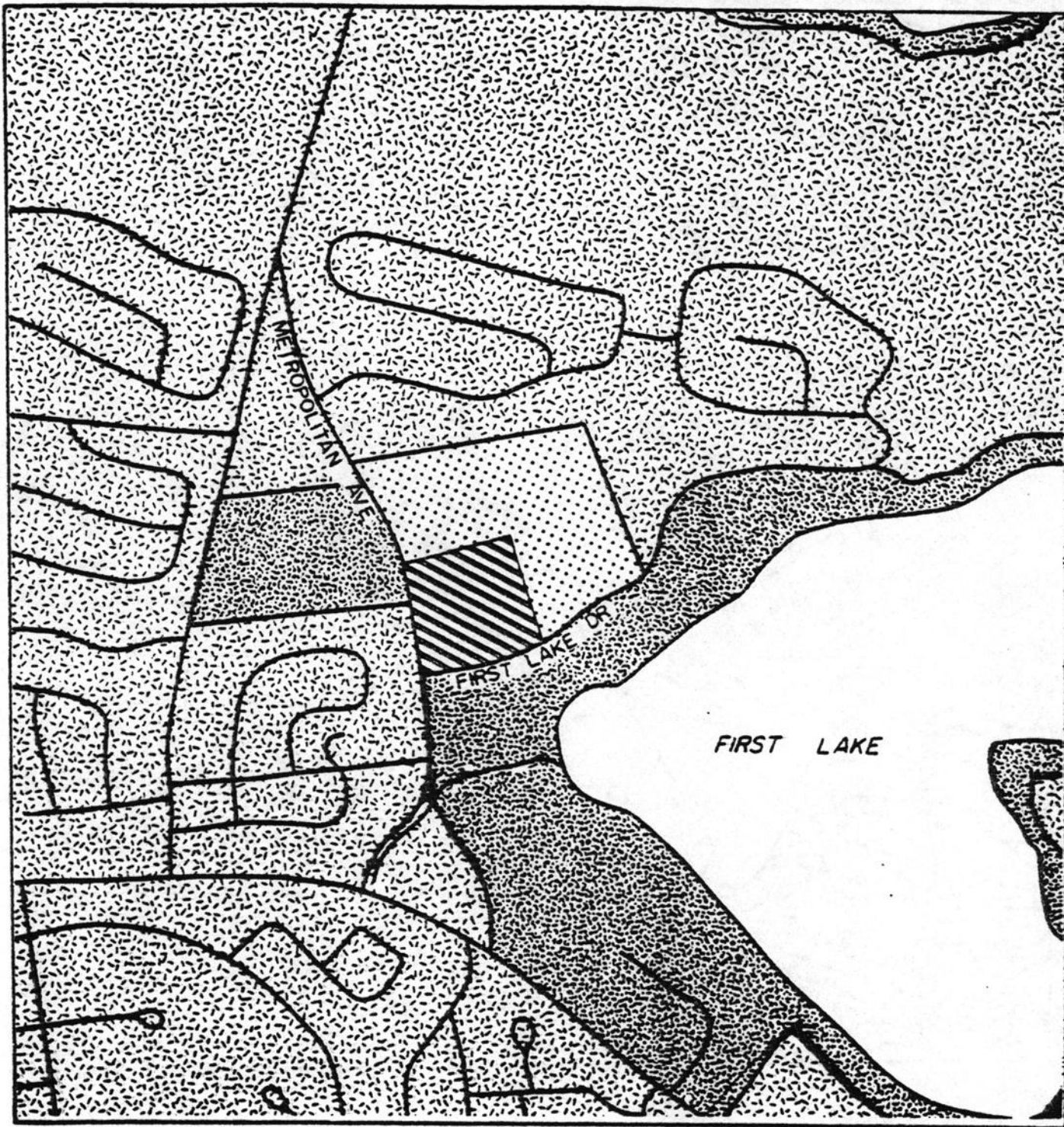
It is becoming obvious that Sackville greatly needs additional space for multiple unit development. Although the Urban and Rural Residential Designations permit rezoning to R-4, sites in these areas are not meeting demand and rezoning applications are infrequent.

The present proposal is reasonable for both the site and the area in which it is located. It is therefore recommended that Alderney Consultants' request to amend the Generalize Future Land Use Map by redesignating the site from General Commercial Designation to Urban Residential be approved.

It is also recommended that the Land Use By-law be amended so that the site becomes a Comprehensive Development District. The plan supports the use of this form of control and states that residential development through the use of CDD's is in keeping with the intent of encouraging well planned residential neighbourhoods.

The use of a CDD means that issues such as bonding for the services, buffering from neighbouring uses and exact road access can be negotiated.

Generalized Future Land Use Map



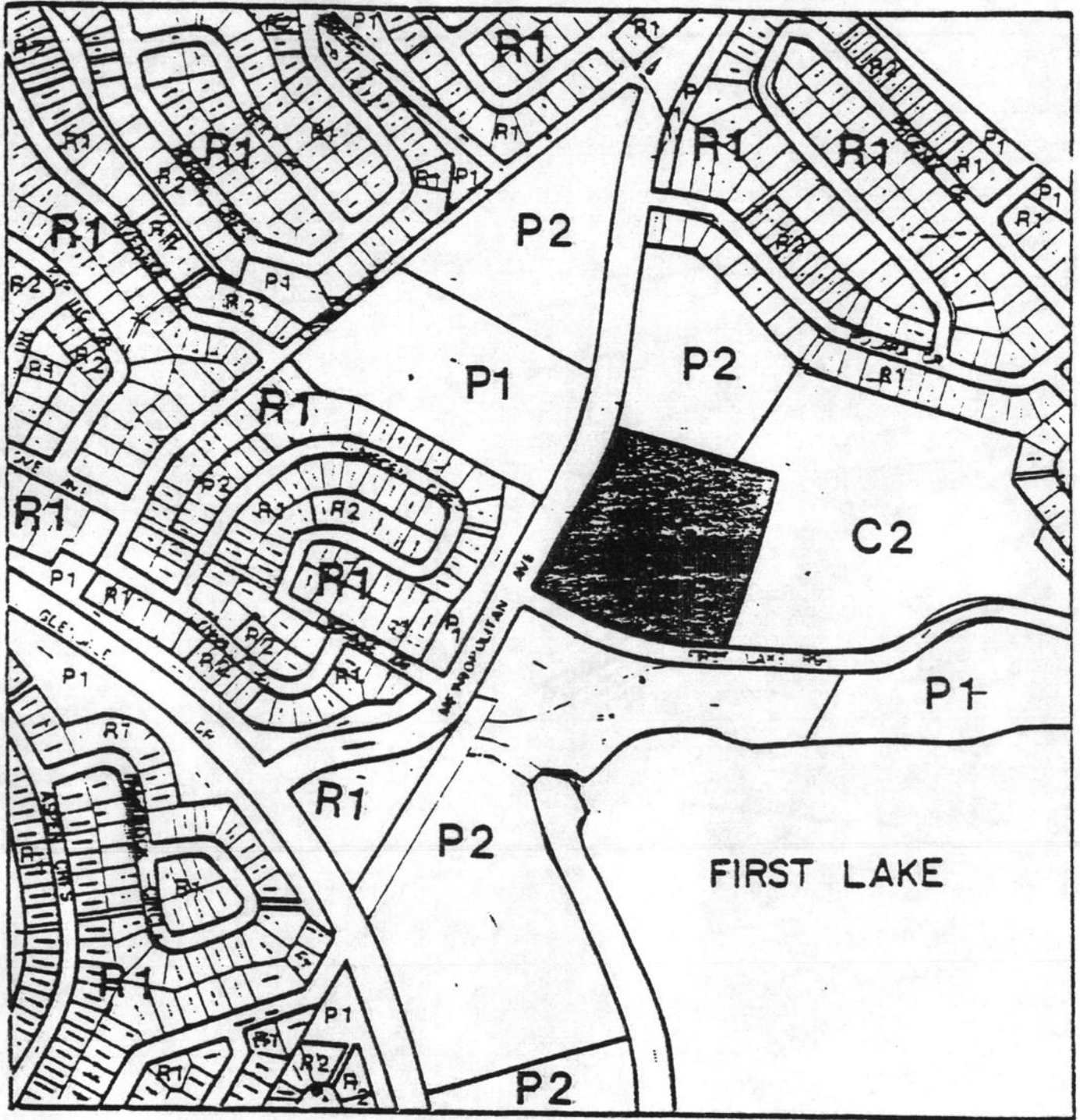
 General Commercial to Urban Residential

 Urban Residential Designation

 General Commercial Designation

 Community Facility Designation

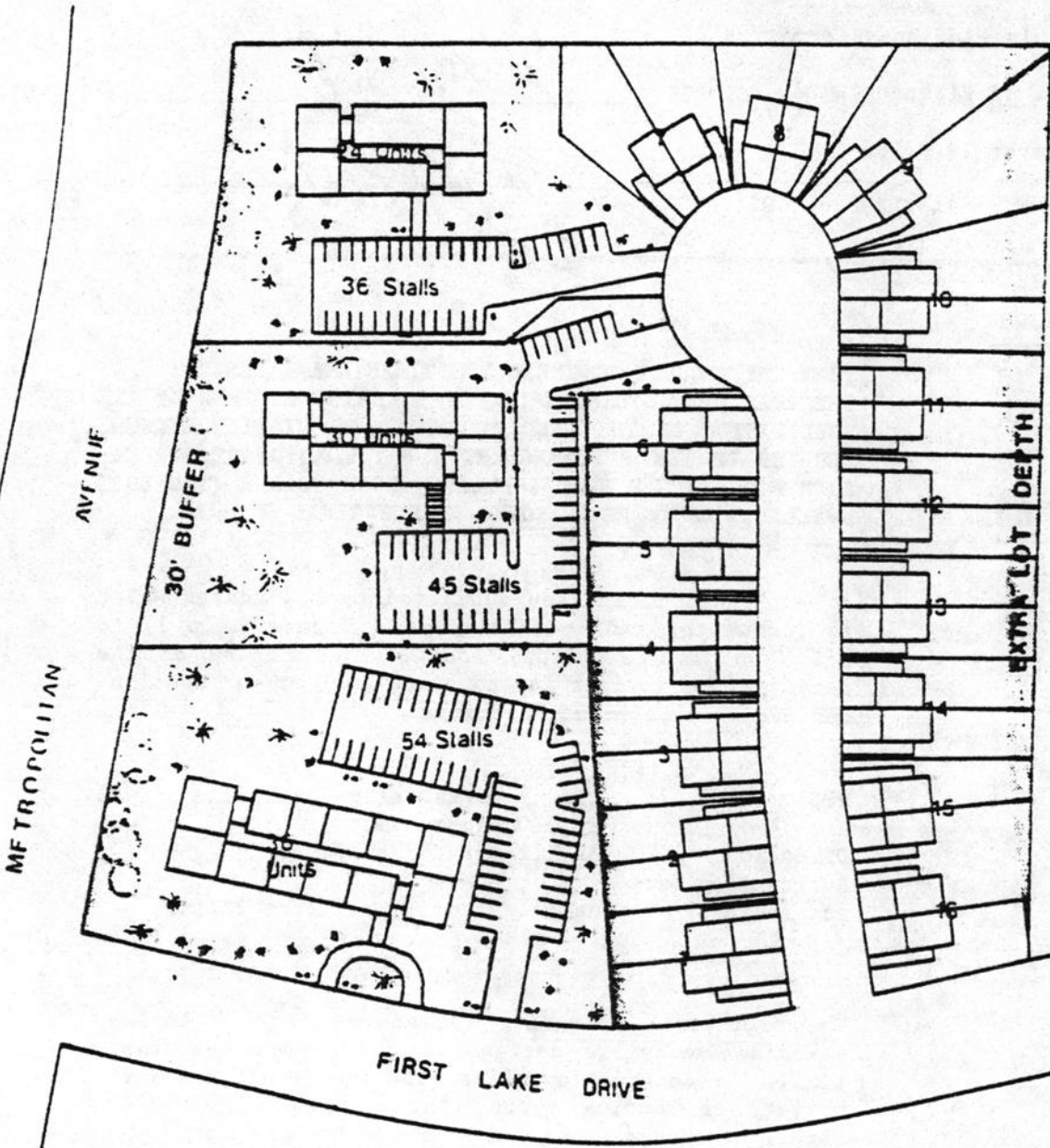
Sackville Zoning Schedule "B"



C-2 to CDD

long w/e

Figure No. 3



key plan 1" = 34,000'

ALDERLEY CONSULTANTS
EAST COAST
PROPERTIES LTD.
CONCEPT PLAN
First Lake Drive, Sackville
1994

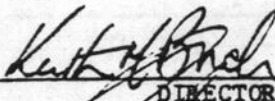
STAFF REPORT

TO: Planning Advisory Committee

FROM: Dept. of Planning & Development

DATE: November 14, 1985

APPLICATION NO: RA-TLB-68-85-02



 DIRECTOR



 C.A.O.
RECOMMENDATION

THAT THE REQUEST TO AMEND THE TIMBERLEA/LAKESIDE/BEECHVILLE LAND USE BY-LAW BY REZONING LOT M-2 OF THE SUBDIVISION OF THE LANDS CONVEYED TO WILLIAM MILSON, LOCATED ON THE ST. MARGARET'S BAY ROAD AT TIMBERLEA, FROM R-1 (SINGLE UNIT DWELLING) ZONE TO R-2 (TWO UNIT DWELLING) ZONE, BE APPROVED BY MUNICIPAL COUNCIL.

Information

An application has been submitted by Mr. Andrew Walsh to rezone the lands identified in Figure 2 (p 3) to R-2 (Two Unit Dwelling) Zone. The purpose of the rezoning is to permit construction of a dwelling containing a basement apartment.

Description

MPS:	Timberlea/Lakeside/Beechville
Area:	10,580 square feet
Dimensions:	As illustrated by Figure 2 (p 3)
Surrounding Uses and Zoning:	As illustrated by Figure 2 (p 3)

ANALYSIS

The municipal planning strategy for Timberlea/Lakeside/Beechville designates the property Residential. The designation allows for the development of a variety of housing types, including two unit dwellings, by amendment to the land use by-law.

The proposed rezoning is in conformity with the plan's intent to encourage a mixture of housing stock where central sewer and water services are available. The lot is located on a collector highway, in an area which contains a variety of land uses, including a nearby apartment building. Therefore, the scale and pattern of development will not be adversely affected.

FIGURE NO. 1 - KEY PLAN & DISTRICT PLAN

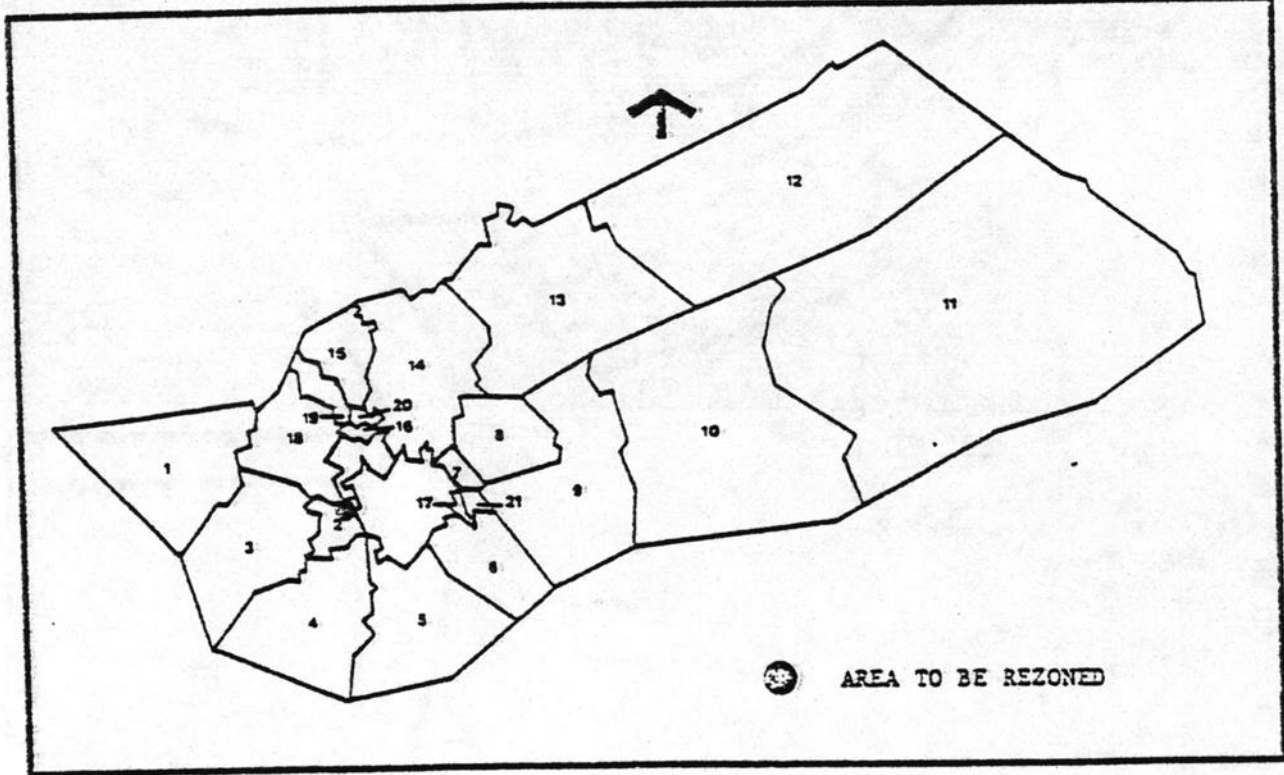
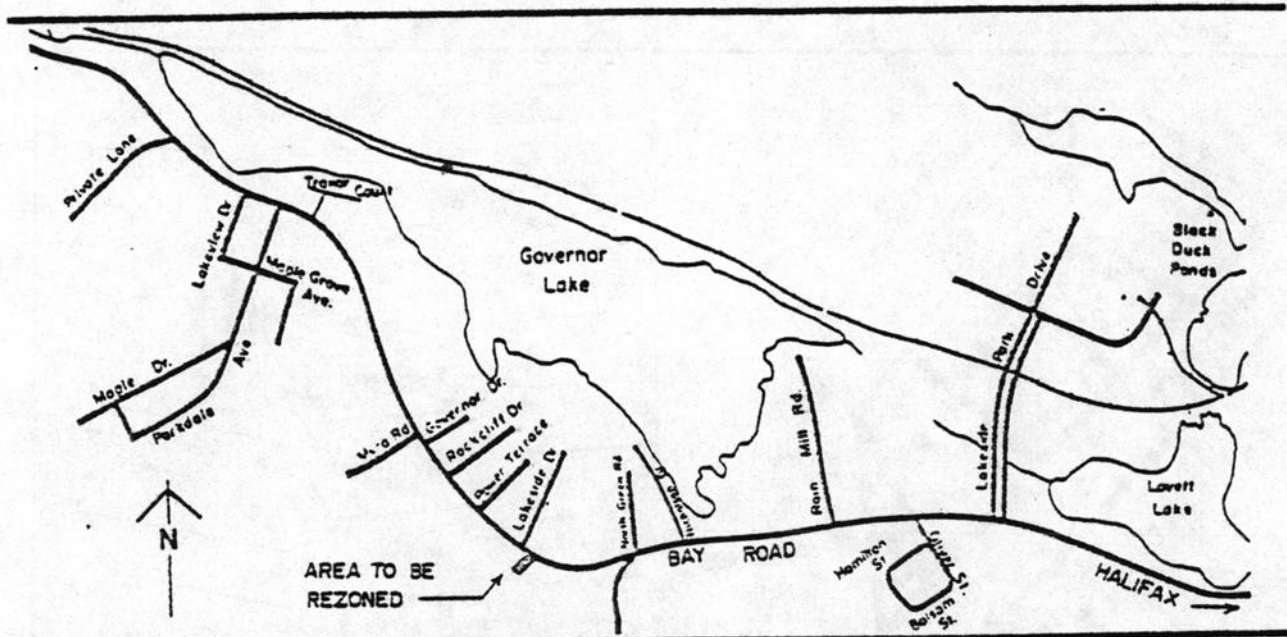
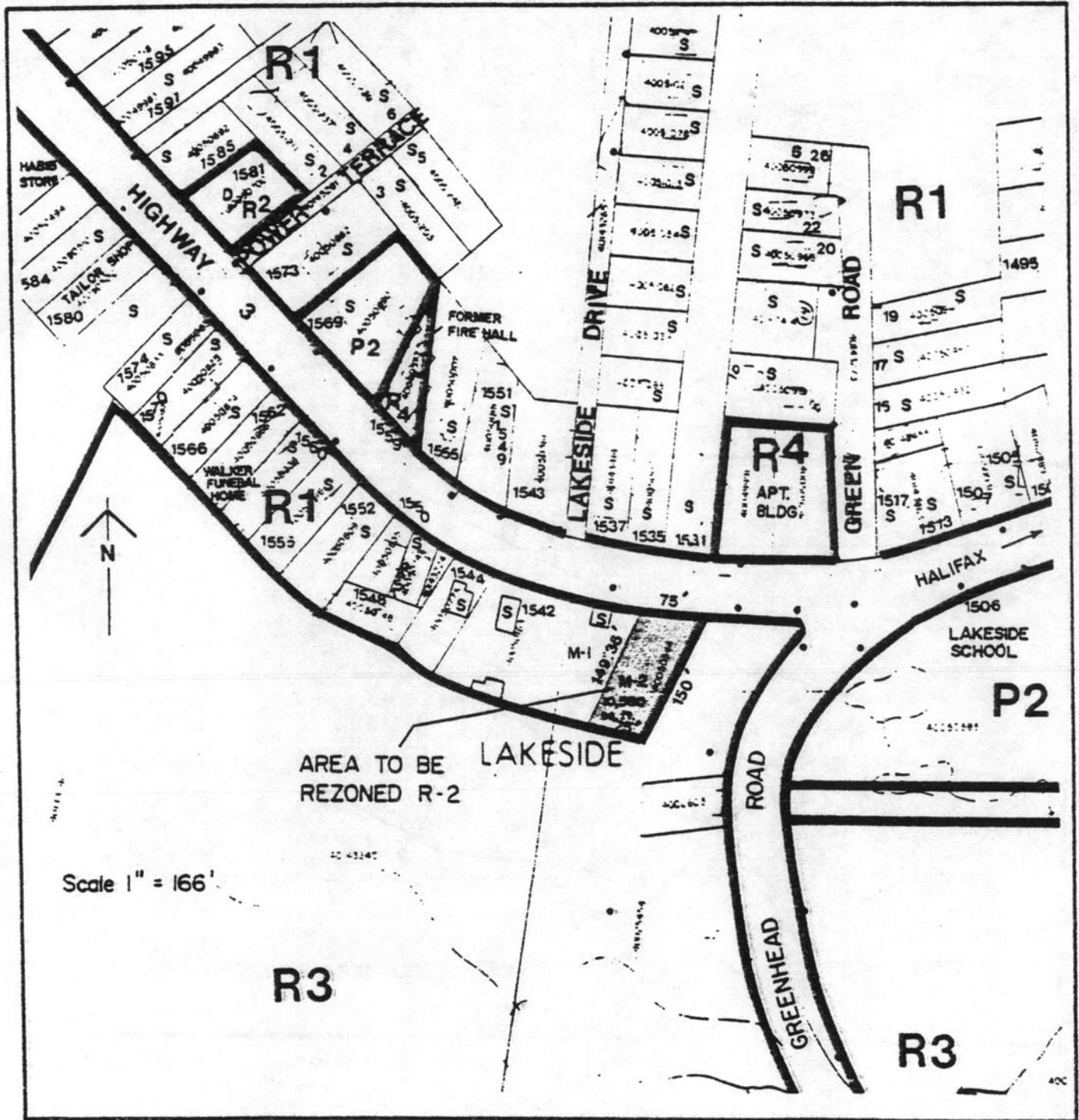


FIGURE NO. 2 - SURROUNDING USES & ZONING



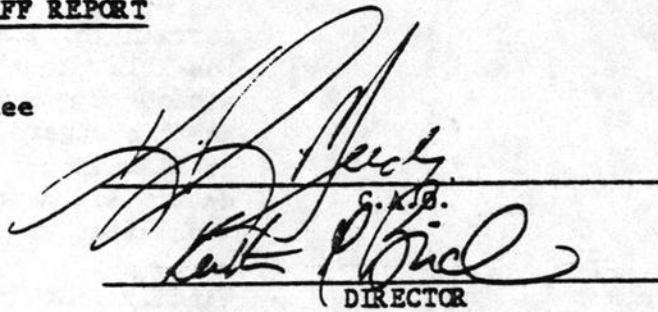
STAFF REPORT

TO: The Planning Advisory Committee

FROM Planning & Development

APPLICATION NO. DA-SA-32-85-16

DATE: November 18, 1985



G. K. B.
DIRECTOR

RECOMMENDATION

THAT THE PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE MUNICIPALITY OF THE COUNTY OF HALIFAX AND SPORTWHEELS LIMITED, FOR ADDITIONS TO EXISTING DEVELOPMENT ON LOT 1-B, OF LANDS CONVEYED TO WILLIAM WITHROW AND SPORTWHEELS LIMITED, LOCATED ON SACKVILLE DRIVE AT LOWER SACKVILLE BE APPROVED BY MUNICIPAL COUNCIL.

GENERAL INFORMATION

Attached is a proposed development agreement between the Municipality of the County of Halifax and Sportwheels Limited for the construction of a parking lot on the rear portion of lands identified in Figure No. 3. The purpose of the agreement is to provide parking for a proposed addition to the existing commercial building located on the front of the property. As illustrated in Figure No. 1, the property is zoned C-2 (General Commercial) Zone to a depth of approximately 250 feet, with the remainder being zoned R-1 (Single Unit Dwelling) Zone.

This agreement stems from Policy P-62 of the municipal planning strategy for Sackville, which directs that commercial development on certain portions of properties along the northeast side of Highway No. 1 between the Cobequid Road and Florence Street shall be considered by contract.

The proposed addition and parking lot is seen as a logical extension of an existing commercial use, which is permitted by right on the front portion of the subject property. A wooded and relatively flat

terrain and the bank at the rear of the lot make it possible to undertake the proposed development without seriously affecting surrounding land uses. In this regard, particular attention should be given to Clauses 1-6 of the agreement, which deal with the design and maintenance of the addition, parking lot, and buffer area.

Finally, in terms of paving, driving aisle widths and storm water management, the applicant has agreed to a number of design requirements which exceed the by-law provisions for parking lots.

Figure No. 1

