

The Comprehensive Development District is applied to the Nova Scotia Department of Housing lands to allow development here to proceed only by development agreement. It is intended to encourage the development of a low density serviced residential community, once local and regional sewage treatment issues have been resolved.

Mrs. MacKinnon concluded that in the transportation section of the plan controls on private roads have been developed, and these must also be implemented by an amendment to the Subdivision By-law. This can be dealt with at the public hearing when this Plan is heard by the public.

Questions from Council

Councillor C. Baker extended appreciation to Mr. Ruffman and other members of the PPC for the good job they have done in preparing this planning strategy. He stated he does not agree with everything, but it was a long hard process to put this together, and it reflects the wishes of the people.

Councillor C. Baker agreed that the trailer park in Spryfield seems to have improved since the new owner took over. He noted the streets have been paved, there are more street lights, and much better service. He inquired about the dumping of effluent from the trailer park, and he asked if the development at Kidston Lake has hooked into the services yet. Mr. Ruffman advised that the Nova Scotia Department of Housing pumps the sewage from Rockingstone Road near Sutherland's School over the hill joining the main sewer flowing into Herring Cove.

Councillor C. Baker asked if anything further can be done to get the road built between Districts 4 and 5. Mr. Ruffman referred to page 32 of the Municipal Development Plan: "The intention of Council to encourage the Nova Scotia Department of Transportation to consult with the Municipality and area residents through their established community associations on the location of all new access roads and highway extensions in the plan area, and further it is the intention of Council to initiate a study to examine and identify any preferred highway route which links municipal Districts 4 and 5 in consultation with area residents." He felt this study will be initiated shortly.

Councillor C. Baker asked if the Plan will allow the developer at Long Pond to develop as he had intended. Mr. Ruffman advised that Mr. Austin had indicated at a meeting of the MPC that he hoped to have some sort of highway commercial zone here. This is not supported by the residents of Herring Cove and is not included in this Plan. He suggested that Mr. Austin will make a recommendation for change in this regard at the public hearing, and it will be a decision of Council.

Councillor C. Baker stated he is glad the people of Sambro took the stand against changing their community because they got what they wanted from their expressions. Mr. Ruffman stated Sambro is a community with houses quite close together, and this may worsen the problem of malfunctioning septic fields and contaminated wells. He

stated this problem will probably have to be addressed during the plan review stage.

Councillor Lichter, on behalf of the MPS, expressed appreciation to Mr. Ruffman, the past chairmen, all members of the PPC and the general public, and Mrs. MacKinnon for their input into this plan. He stated four years is a long time, and he stated he is pleased to see one more plan almost complete.

Councillor P. Baker also expressed appreciation to the PPC and Mr. Ruffman for their work on this plan. He noted that District 4 is closely related to District 5, and he stated when the District 4 plan is done, consideration will be given to the District 5 plan, as it appears to be a very good plan.

Warden MacKenzie stated salvage yards are a problem throughout Halifax County, and he stated the operators should be more conscience about these problems. He asked if the fishermen of Sambro have been accommodated by this plant. Mr. Ruffman assured they have been accommodated, and they have not been denied the right to expand their operations in this area.

With respect to salvage yards, Mr. Ruffman stated one salvage yard operator in the area is a member of the PPC, and he has heard many times the concerns about the salvage yards.

Warden MacKenzie next inquired about the proposed road between Districts 4 and 5. Mr. Ruffman stated the old St. Margaret's Bay Road to Goodwood is still passible by snowmobiles, and there is another road to Brookside that is not constructed. All considerations should be considered for this road, therefore, no conclusion in this respect has been offered; the issue needs further study.

Warden MacKenzie noted that looking down from York Redoubt, one sees Sandwich Point, which is proposed for a regional treatment plant. He asked if this plan is approved by the Province, would this be seen as a deterrent towards putting the plant at Sandwich Point. Mr. Ruffman stated if a decision is made to locate the treatment plant here, it will have to be assured that the plant is integrated with the Park. It may pose a challenge to designers, but it can work.

There was some discussion about a regional sewage treatment plant at Mill Cove, and how the residents and the area can be protected in this manner.

There was also discussion about development in Spryfield. Mr. Ruffman noted that the problems of Spryfield were part of the County when it was expropriated by the City, but the City has continued this type of development until recently. He noted that a plan for Spryfield began in 1980 and it was only passed last year. Mr. Ruffman noted that the residents of Spryfield have a similar plan development process as the County, although the County seems to experience much more community interest and involvement in these processes.

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

"THAT a public hearing be scheduled for June 16, 1988 at 7 p.m. to consider the adoption of the Municipal Planning Strategy and Land Use By-law for District 5, as well as a Subdivision By-law amendment to implement plan policies."

Councillor Wiseman advised there is a library conference at that time, and several Members of Council may not be available. Mr. Ruffman advised that he would like to see this matter dealt with before the summer months and before people start taking holidays. He asked that as many Councillors as possible attend the public hearing.

MOTION CARRIED

Warden MacKenzie expressed appreciation to the District 5 PPC members and Chairmen, as well as to Mrs. MacKinnon for the effort put into this plan.

ADJOURNMENT

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

"THAT this meeting adjourn."

MOTION CARRIED

The meeting adjourned at 8:05 p.m.

COMMITTEE OF THE WHOLE

PLANNING DISTRICT 5

MAY 11, 1988

AGENDA

1. Introduction.
2. Overview of Public Participation Process - Alan Ruffman, Chairperson, Public Participation Committee.
3. Overview of the Municipal Planning Strategy and Land Use By-law - Joan MacKinnon.
4. Question Period.
5. Public Hearing to Adopt Municipal Planning Strategy and Land Use By-law as well as Subdivision By-law Amendments to Implement Plan Policies: Suggested Date - June 16, 1988.
6. Adjourn.

PLANNING DISTRICT 5

SUMMARY OF EVENTS

PUBLIC PARTICIPATION PROCESS

1. The initial Planning District 5 kick off meetings were held as follows:

Sambro	November 16, 1983
Harrietsfield	November 22, 1983
Herring Cove	November 24, 1983
Ketch Harbour	December 6, 1983

2. Meetings to select members to serve on the Public Participation Committee (PPC) were held in five communities, as follows:

<u>Ketch Harbour/Duncans Cove</u>	January 24, 1984
<u>Harrietsfield/Williamswood</u>	January 25, 1984
<u>Herring Cove/Fergusons Cove</u>	January 26, 1984
<u>Portuguese Cove/Bear Cove/Halibut Bay</u>	January 31, 1984
<u>Sambro/Sambro Head/Sambro Creek/Long Cove/ East Pennant/West Pennant/Bald Rock</u>	February 1, 1984

3. PPC Meetings

The first PPC meeting for the Plan Area as a whole, after the selection of PPC members, was held in February, 1984. A total of 78 PPC meetings were held between February 14, 1984 and December 2, 1987. In addition, the PPC held a series of "special" meetings. All PPC meetings were open to the public. Meetings were held as follows:

	1984	1985	1986	1987
January	—	9, 16, 30	8, 22	7, 21
February	14, 29	13, 27	19	4, 18
March	14, 28	13, 27	5, 19	4, 11, 25
April	11, 15	10, 24	2/16/23/30	1, 15, 27
May	9, 23	8, 22	7/14/21/28	13
June	6, 20	26	18	10
July	4, 18	17, 31	—	—
August	—	28	—	—
September	12, 26	11, 25	—	—
October	10, 24	9, 23	1, 15, 29	—
November	7, 21	10	12, 26	—
December	5	4, 11	10	2
TOTAL	19	26	20	13

SPECIAL PUBLIC PARTICIPATION MEETINGS WERE HELD ON:

NOVEMBER 28, 1984
DECEMBER 12, 1984
FEBRUARY 20, 1985

4. At key points during the process, the PPC held public meetings and open houses to present its recommendations to the public. The meetings were held as follows:

OPEN HOUSE FOR PROPOSED ZONING

Portuguese Cove	June 2, 1986
Herring Cove	June 3, 1986
Sambro	June 4, 1986
Harrietsfield	June 9, 1986
Ketch Harbour	June 10, 1986

OPEN HOUSE FOR MPS AND LAND USE BY-LAW

Herring Cove	June 1, 1987
Harrietsfield	June 2, 1987
Sambro	June 3, 1987
Portuguese Cove	June 4, 1987
Ketch Harbour	June 5, 1987

5. Survey

A survey was distributed to all residents of the Plan Area in April, 1985. There was a 22% response rate to this survey, the results of which were tabulated and used extensively in the preparation of the plan. The MPS for Planning District 5 documents a small portion of the survey results.

6. Advertising

Notices of meetings were posted in local churches and stores by various members of the PPC, as well as non-PPC members. Flyers were distributed announcing distribution of the survey, as well as all Open Houses throughout the process. Advertisements were placed in the Chronicle Herald/Mail Star to announce the Public Meetings/Open Houses as well. Agendas and minutes were also distributed to individuals listed on a mailing list. Over the length of the process, this list grew to include approximately 80 persons, in addition to PPC members.

Public Service Announcements

Public Service Announcements throughout the process were also used to supplement flyers and newspaper advertisements.

MPC Meetings

There have been a total of 28 MPC meetings to discuss the MPS and Land Use By-law for Planning District 5, with dates as follows:

	1984	1985	1986	1987	1988
January	—	28	—	—	4, 13, 21
February	—	—	17	16	11
March	—	—	—	—	24, 29
April	—	1	—	14	13
May	23	—	—	—	—
June	19	17	—	29	—
July	—	—	—	15, 27	—
August	—	—	—	19	—
September	27	16	—	23	—
October	—	—	6	14, 27	—
November	22	18	—	—	—
December	—	—	1	—	—
TOTAL	4	5	3	9	7

Ongoing Requests to Change Proposed Zoning

Subsequent to the last PPC meeting, a number of requests for changes in zoning have been made to Municipal Plan Committee or put forward to individual PPC representatives for comment and recommendation. As a result of these requests, a number of changes have been made to the zoning maps. In addition, MPC has made a number of amendments to the planning strategy and land use by-law, as part of its review.

MUNICIPAL PLANNING STRATEGY

PLANNING DISTRICT 5 (CHEBUCTO PENINSULA)

SUMMARY OF LAND USE DESIGNATIONS

	PAGE
1. RESIDENTIAL DESIGNATION	1
2. VILLAGE CENTRE DESIGNATION	1
3. RURAL 'A' DESIGNATION	2
4. RURAL 'B' DESIGNATION	2
5. INDUSTRIAL COMMERCIAL DESIGNATION	3
6. CONSERVATION DESIGNATION	3
7. PARK DESIGNATION	4
8. COMPREHENSIVE DEVELOPMENT DISTRICT DESIGNATION	4

RESIDENTIAL DESIGNATION - MPS p.48

Summary of Intent

The Residential Designation has been applied to the developing residential corridors along the Old Sambro Road, Ketch Harbour and Herring Cove Road, and Purcells Cove Road, and includes lands within the communities of south Harrietsfield, Williamswood, Herring Cove, Fergusons Cove, Halibut Bay, Bear Cove, Portuguese Cove, and Sambro Head. The intention in the Residential Designation is to encourage and protect a low density residential environment in developed areas, as well as to promote such an environment in undeveloped areas included within the Designation.

Zones Established in the Residential Designation

R-1	(Single Unit Dwelling) Zone	(p.29)
R-2	(Two Unit Dwelling) Zone	(p.32)
R-2a	(Residential Home Occupation) Zone	(p.35)
C-1	(Local Business) Zone	(p.56)

Uses Considered by Development Agreement

- expansion of Birchlee Mobile Home Park
- golf courses, racquet sports and fitness clubs
- the expansion of an existing well drilling operation or conversion to an alternate commercial use

VILLAGE CENTRE DESIGNATION - MPS p.60

Summary of Intent

The Village Centre Designation has been applied to the village centres of Harrietsfield, Sambro, Ketch Harbour and Herring Cove. The intention of the Village Centre Designation is to promote a community focus. Within the Designation, individual village centre zones have been established for each village, reflecting community differences between the distinct villages of the Plan Area. A wider range of uses is permitted within this Designation than in the surrounding Residential Designation. In Sambro, the fishing industry and traditional rights to most land uses are supported. The Herring Cove Designation focuses on the special character and heritage of the village, including its fishing tradition and architecture. In the Harrietsfield Village Centre, the development of a community and commercial service centre is supported. In Ketch Harbour, community and local commercial uses are supported.

Zones Established in the Village Centre Designation

V-1	(Harrietsfield Village Centre) Zone	(p.47)
V-2	(Herring Cove Village Centre) Zone	(p.49)
V-3	(Ketch Harbour Village Centre) Zone	(p.52)
V-4	(Sambro General Building) Zone	(p.55)
VR	(Fishing Village Residential) Zone	(p.44)
F-1	(Fishing Industry) Zone	(p.63)

Uses Considered by Development Agreement

- restaurants in the Herring Cove and Ketch Harbour Village Centre Designations
- commercial uses in excess of 2,000 sq.ft. in the Harrietsfield Village Centre Designation

RURAL 'A' DESIGNATION - MPS p.73

Summary of Intent

The Rural 'A' Designation has been applied to the outlying areas of Ketch Harbour, Long Cove and Sambro Creek. While residential development is the primary form of land use, the Rural 'A' Designation provides support for home occupations, small-scale resource uses, and recreation uses. In addition, there are provisions within the designation to accommodate general business uses.

Zones Established in the Rural 'A' Designation

R-6	(Rural Residential) Zone	(p.38)
R-6a	(Rural Mixed Residential) Zone	(p.41)
C-2	(General Business) Zone	(p.58)
P-2	(Community Facility) Zone	(p.65)

Uses Considered by Development Agreement

- commercial recreation uses

RURAL 'B' DESIGNATION - MPS p.70

Summary of Intent

The Rural 'B' Designation has been applied to undeveloped, privately-owned lands within the interior of the Plan Area. This designation is similar to the Rural 'A' Designation in that it accommodates low density residential development, home occupations, recreation uses, and small-scale resource uses. However, unlike the Rural 'A' Designation, there are no provisions for general commercial development.

Zones Established in the Rural 'B' Designation

R-6 (Rural Residential) Zone (p.38)

Uses Considered by Development Agreement

- commercial recreation uses

INDUSTRIAL COMMERCIAL DESIGNATION - MPS p.69

Summary of Intent

The Industrial-Commercial Designation has been applied to the north Harrietsfield area where an existing industrial park and automotive services are located. It is felt that this area has potential for more general industrial-commercial activity, given its location and access to a good transportation network adjacent to the City of Halifax.

Zones Established in the Industrial-Commercial Designation

C-5 (Industrial-Commercial) Zone (p.60)

Uses Considered by Development Agreement

- more than one main commercial or industrial building on a lot

CONSERVATION DESIGNATION - MPS p.78

Summary of Intent

The Conservation Designation has been applied to the Plan Area's crown lands to support open space and environmental objectives. Aside from recreation uses and certain specialized government facilities, development is not supported on the Plan Area's crown lands.

Zones Established in the Conservation Designation

P-4 (Conservation) Zone (p.68)
P-5 (Special Facility) Zone (p.69)

PARK DESIGNATION - MPS p.83

Summary of Intent

The Park Designation has been applied to existing federal and provincial parks. Necessary improvements and capital investments are supported at Crystal Crescent Provincial Park and Fort York Redoubt. Smaller sites in Fergusons Cove, Herring Cove, and Duncans Cove are extensively used by the public and have also been placed in the Park Designation.

Zones Established in the Park Designation

P-3	(Park) Zone	(p.67)
D-1	(DND) Zone	(p.70)

Uses Considered by Development Agreement

- park related commercial use in Fort York Redoubt and Crystal Crescent Provincial Park

COMPREHENSIVE DEVELOPMENT DISTRICT - MPS p.89

Summary of Intent

The Comprehensive Development District Designation has been applied to the Kidston Lake land assembly in north Harrietsfield. The Comprehensive Development District Designation is intended to encourage the development of a low density serviced residential community within the Plan Area, once local and regional sewage treatment issues have been satisfactorily resolved.

Zones Established in the Comprehensive Development District Designation

CDD	(Comprehensive Development District) Zone	(p.71)
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- low density residential uses, local commercial and community facility uses by development agreement

LAND USE BY-LAW
PLANNING DISTRICT 5 (CHEBUCTO PENINSULA)

SUMMARY OF PROPOSED ZONES

<u>ZONE</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
R-1	(Single Unit Dwelling)	1
R-2	(Two Unit Dwelling)	1
R-2a	(Residential Home Occupation)	1
R-6	(Rural Residential)	1
R-6a	(Rural Mixed Residential)	2
VR	(Fishing Village Residential)	2
V-1	(Harrietsfield Village Centre)	2
V-2	(Herring Cove Village Centre)	3
V-3	(Ketch Harbour Village Centre)	3
V-4	(Sambro General Building)	4
C-1	(Local Business)	4
C-2	(General Business)	4
C-5	(Industrial Commercial Mix)	5
F-1	(Fishing Industry)	5
P-2	(Community Facility)	6
P-3	(Park)	6
P-4	(Conservation)	7
P-5	(Special Facility)	7
D-1	(DND)	7
CDD	(Comprehensive Development District)	7

ZONE	COMMENTS	PERMITTED USES	LOT STANDARDS
R-1 (Single Unit Dwelling)	Residential Designation	Single unit dwellings Fishery support uses Home occupations Daycare facility in dwelling Open space uses Existing two unit dwellings Existing mobiles	10,000/20,000 sq.ft. minimum lot size 300 sq. ft. of business use 7 children in day care No signs, open storage, display
R-2 (Two Unit Dwelling)	Base zone in the Residential Designation	Single & two unit dwellings Home occupations Day care in dwelling Open space uses Fishery support uses Existing mobile homes Existing mobile home park Existing business identified in Appendix "B"	10,000/20,000 sq.ft. min. lot size 300 sq. ft. of business uses 7 children in day care One wooden sign - 2 sq.ft.; no open storage or display No minimum area/frontage for fishery support uses No expansion
R-2a (Residential Home Occupation)	Residential Designation	Same as in R-2 Zone	Same standards as R-2 with the following exception: Home occupations up to 750 sq.ft. can locate in accessory building
R-6 (Rural Residential)	Rural Designation - base zone Individual lots in Residential Designation	Single & two unit dwellings Existing mobiles Home business Day care in dwelling Bed and breakfast Recreation uses Open space uses Restricted agriculture uses Forestry & woodlot uses - no processing Fishery support/aquaculture including retail/wholesale outlets Private hunting/fishing camps Existing uses identified in Appendix "C"	10,000/20,000 sq.ft. minimum lot size 750 sq. ft. business use; one sign - 16 sq.ft./no open storage/display 14 children in day care Maximum 50 fowl/10 other animals No minimum area or frontage for fishery support and aquaculture uses (Commercial Recreation Uses may be considered by development agr.) Expansion of existing uses permitted

ZONE	COMMENTS	PERMITTED USES	LOT STANDARDS
R-6a (Rural Mixed Residential)	Rural Designation	Same as R-6 except that mobile dwellings are permitted	Same as R-6
VR (Fishing Village Residential)	Village Centre Designation - Herring Cove Applied in older residential area of Herring Cove	Single/two unit dwellings Home occupation Day care in dwelling Fishery support uses Open space uses Existing multi-unit dwelling Existing mobile dwellings	10,000/20,000 sq.ft. minimum lot size 300 sq. ft. business use in home No open storage/display One sign - 2 sq. ft. 7 children in day care Architectural control - roof line pitch 40°
V-1 (Harrietsfield Village Centre)	Village Centre Designation Harrietsfield	Single/two unit dwellings Existing mobile dwellings Home occupations P-2 Zone uses Retail, food stores Service/personal service shops Bed & breakfasts Offices, banks Restaurants Taxi/bus depots Nursery/commercial greenhouses Medical/dental/veterinary clinics Post office Recreation uses, racquet sports, health clubs Welding, plumbing, heating electrical, other special trade contracting services/shops Existing uses identified in Appendix "C"	20,000 sq.ft. minimum lot size Maximum commercial building size - 2,000 sq. ft. No open storage/display Controls - parking (Larger commercial uses permitted in the zone may be considered by development agreement) Expansion permitted

ZONE	COMMENTS	PERMITTED USES	LOT STANDARDS
V-2 (Herring Cove Village Centre)	Village Centre Designation - Herring Cove Applied to 8 properties within centre of Herring Cove	Single/two unit dwellings Home occupation Open space uses Schools/Churches Day care facilities Senior citizen housing Medical/dental/veterinarian Public library/museum/gallery Post office Recreation uses Residential care facilities Fishery support uses including retail outlets Bed and breakfasts Arts and crafts studios Existing uses identified in Appendix "C"	10,000/20,000 sq. ft. 750 sq. ft. business use in home Day care - 14 children No electrical/mechanical signs Maximum 2,000 sq. ft. commercial use No open storage/display Parking controls (Restaurants may be considered by development agreement) Expansion permitted
V-3 (Ketch Harbour Village Centre)	Village Centre Designation Base zone in Ketch Harbour area	Single/two unit dwellings Home business Open space uses Schools/Churches Day care facilities Senior citizen housing Medical/dental/veterinarian Public library/museum/gallery Post office Recreation uses Fishery support uses including retail outlets Bed and breakfasts Arts and crafts studios Local convenience stores Existing uses identified in Appendix "C"	20,000 sq.ft. minimum lot size 750 sq.ft. home business size; no open storage/display; parking controls Day care - 14 children No open storage/display No electrical/mechanical signs Parking controls Maximum 2,000 sq. ft. commercial use (Restaurants may be considered by development agreement) Expansion permitted

ZONE	COMMENTS	PERMITTED USES	LOT STANDARDS
V-4 (Sambro General Building)	Village Centre Designation Base zone in Sambro area	All uses permitted EXCEPT: Mobile home parks Salvage yards Hazardous waste disposal sites	20,000 sq.ft. minimum lot size. Industrial uses shall be wholly contained within building and shall not be obnoxious (except resource and service industrial uses, which shall be permitted)
C-1 (Local Business) Zone	May be considered in the Residential Designation between Halifax City Limits and Davidson's Brook in Halibut Bay	Local convenience stores Hardware/drug stores Food stores Bed & breakfast Service/personal service Flower shops Single/two unit dwellings Home occupation	10,000/20,000 sq. ft. 2,000 sq. ft. of commercial use No open storage/display 750 sq.ft. home business use
C-2 (General Business)	Rural Designation - existing uses Rural Designation	Retail/food stores Service/personal service Office Bed & breakfast Home occupations Banks Restaurants except drive-in take-out Nursery/comm. greenhouse Medical/dental/vet. clinics Post office Building supply/factory outlet Recreation uses Marina/boat yard Welding, plumbing, heating electrical, other special trade contracting services Existing uses identified in Appendix "C" P-2 Zone uses Single/two unit dwellings Conversion of existing commercial buildings to multi-unit dwelling (4 units)	10,000/20,000 sq. ft. lots Maximum 5,000 sq. ft. commercial use No outdoor display Parking controls

ZONE	COMMENTS	PERMITTED USES	LOT STANDARDS
C-5 (Industrial Commercial Mix)	Applied in Industrial Commercial Designation	C-2 Zone uses Industrial/assembly/manufacturing operations wholly contained in building/no process water treatment Service industries General contracting storage yards Machinery sales/service outlets Service stations Trucking/landscaping/excavating services Auto repair/auto body shops Warehouses Hotels/motels Restaurants/drive-in/take-out Outdoor display courts Institutional uses Existing salvage yards Single/two unit dwellings Accessory residential units	20,000 sq.ft. minimum lot size Separation distance of 50 ft. from this zone to park/conservation zone or abutting residential/community facility use Controls on open storage, display, parking and loading areas Service stations requirement Environmental standards - no operation producing effluent water which can't be treated by an on-site sewage disposal system - can't involve dangerous goods Setbacks from Fish Brook/Spruce Hill Lake Controls on storage associated with auto body shops (More than one main commercial or industrial use on a lot may be considered by development agr.) Single/two unit dwellings on existing lots only
F-1 (Fishing Industry)	Portion of Herring Cove One lot in Portuguese Cove	Fish houses/sheds/boat and equipment manufacturing/sales and service related to fishing; wharf storage buildings; fish processing - no reduction Wholesale and retail supply sales Charterboat services Single/two unit dwellings	No minimum lot size No development permit required for fishing uses Control on Roof Line Pitch - 40°

ZONE	COMMENTS	PERMITTED USES	LOT STANDARDS
P-2 (Community Facility)	Applied in Residential Designation and Rural Designation, by rezoning	Education institutions/uses Denominational institutions/uses Day care facilities Fire and police stations Government offices/public works Hospital/medical/veterinary Senior citizen housing Public libraries/museums/galleries Community centres/halls Recreation uses Residential care facilities Public/private parks, playgrounds Cemeteries, historic sites, monuments Navigational aids	20,000 sq. ft. lot size Parking controls
P-3 (Park) Zone	Park Designation Applied to federal and provincial parks - Crystal Crescent, York Redoubt, Hayes Gardens, Camperdown Hill, Connaught Battery	Public parks, trails, playgrounds Conservation-related uses Museums, interpretive centres, buildings associated with park maintenance Navigational aids Historic sites	No minimum lot size

ZONE	COMMENTS	PERMITTED USES	LOT STANDARDS
P-4 (Conservation) Zone	Conservation Designation: Applied to Crown Land	Conservation-related uses Public parks/playgrounds - no buildings Trails, cemeteries, historic sites and monuments Navigational aids Existing hunting & fishing camps	
P-5 (Special Facility)	Applied in the Conservation Designation/Park Designation	Telecommunication stations and facilities Research facilities Existing dwellings Dwelling associated with permitted uses Educational uses Fire and police stations Community centres and halls	20,000 sq. ft. lot size Residential uses shall conform to R-1 Zone
D-1 (DND) Zone	Park Designation Applied to DND lands	Canadian military installations	Conform to R-1 Zone
CDD (Comprehensive Development District) Zone	Comprehensive Development District Designation applied to Dept. of Housing Kidston Lake Land Assembly	Low density residential development Local commercial uses Community facility uses	All permitted uses are subject to entering into a development agreement

R19

MEMORANDUM

TO: Committee of the Whole
FROM: Department of Planning & Development
RE: **SUBDIVISION BY-LAW AMENDMENTS RE: PLANNING DISTRICT 5 MUNICIPAL
PLANNING STRATEGY**
DATE: May 11, 1988

Attached are amendments to the Subdivision By-law which are necessary to implement the Planning District 5 Municipal Planning Strategy and which require a public hearing.

The Subdivision By-law amendments are related to Policy P-27 with respect to private road development.

JMK/rmn

A BY-LAW TO AMEND THE SUBDIVISION BY-LAW

The Subdivision By-law of the Municipality of the County of Halifax is hereby amended by:

(a) Adding the following as Part 13.7:

13.7 As provided for in the Municipal Planning Strategy for Planning District 5, no subdivision on private roads shall be permitted where the proposed lots are to be serviced by municipal sewer and/or water services, or where the proposed subdivision is located within the area identified in Appendix "D" of the Land Use By-law. The maximum number of lots per private road shall not exceed ten except where a private road has been approved under the 1984 Subdivision By-law or where a completed tentative plan has been submitted prior to the effective date of the planning strategy.

THIS IS TO CERTIFY that the by-law, of which this is a true copy, was duly passed at a duly called meeting of the Municipal Council of the Municipality of the County of Halifax held on the th day of , 1988.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, A.D. 1988.

GERARD J. KELLY
Municipal Clerk

JOINT COUNCIL SESSION

SCHOOL BOARD BUDGET

MAY 13, 1988

PRESENT WERE: Warden MacKenzie
Councillor Rawding
Councillor Fralick
Councillor P. Baker
Councillor C. Baker
Councillor Deveaux
Councillor Randall
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Merrigan
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Deputy Warden MacDonald
Councillor Wiseman
Councillor Mont
Mayor Roberts
Councillor Kelly
Councillor Lugar
Deputy Mayor Christie
Councillor Roy

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer, County of
Halifax
Mr. Dan English, Chief Administrative Officer, Town of
Bedford
Mr. Ken Wilson, Director of Finance, County of Halifax
Mr. Ron Singer, Director of Finance, Town of Bedford
Mr. Lloyd Gillis, Chief Executive Officer, Halifax
County-Bedford District School Board

SECRETARY: Glenda Hill

Warden MacKenzie called the meeting to order at 1:15 p.m. He advised the purpose of the meeting is to discuss the School Board Budget with the Town of Bedford and School Board representatives.

Councillor Wiseman, Chairman of the School Board, expressed appreciation for the opportunity to present the budget to the two Councils. She stated it has been an exciting year in Halifax County, and enrollment was estimated at 29,000 at the first of the year. One new school opened at Holland Road and two others are scheduled to open in the near future. Also, Millwood is in the planning and construction stages. There are 330 students more than last year, and

another 300 expected next year, with a major portion of the enrollment increase in Bedford.

Councillor Wiseman also stated there has been a significant improvement in the curriculum and policies of the Board, including an AIDS policy and a new suspension policy. There have also been some major student achievements, with students from the Halifax County-Bedford system taking most of the major awards at the Science Fair and the Kiwanis Music Festival. There was major representation from Halifax County and Bedford in the Advanced Learning Program, as well as sports achievements.

Mr. Gillis next reviewed the proposed budget as presented to the two Councils. He began by reviewing 1988 budget increases over 1987, including the impact on the municipal units and their contributions. He advised that \$14,265,324 is required from the municipal units in 1988 - an increase of \$1,794,348 over 1987. The mandatory education rate set by the Province has dictated an increase of 18.7 percent; the combined municipal assessment in that part was 14.24 percent, which had a direct bearing on the municipalities' contribution (37 cents per \$100 of assessment). Mr. Gillis stated the Province's new formula for ability to pay under supplementary funding has also increased the municipality's share. The additional cost to the municipal units this year has been decreased by 76 percent.

Mr. Gillis stated comparing municipal unit to municipal unit, the formula is not unfair. A proportion of the increase is based on assessment and the Province's decision of the ability of one unit to pay over another. Also the impact of growth in student population and the relationship in terms of population changes; for Bedford, this will continue to be a factor.

Mr. Gillis next reviewed proposed revenues for the School Board for 1988. He noted that in 1987 the Province assumed \$3 million in excess costs, but when they created supplementary funding, they made changes in terms of their attitude towards our costs. This has created a change in additional costs as compared to what they used to be, including special education teachers, etc. He continued, reviewing the sources of revenue for the School Board over 1986-1988.

Councillor Lugar asked if consideration was given to the new expenditure program as in the City of Halifax, as it adds much money to the budget for planning for retirements, etc. - it allows for the future. Mr. Gillis replied that this was looked at and an assessment was done, but the proposal was not acceptable to allow the Board to proceed with it. There is no reserve for this, except in the area of french education. There will be many retirements in the period 1995 to 2000 which will have a heavy consequence on the budget at that time.

Councillor Christie inquired about student-teacher ratios. Mr. Gillis informed that enrollments were compared to the total number of staff employed in 1987 - not just classroom teachers. When looking at classroom teachers alone, the ratio is about 24 to 28 students per

teacher. Councillor Christie next inquired about Bedford's costs increasing over the next few years. Mr. Gillis replied that as Bedford's population increases, so will their costs. He added that Bedford's ratios are higher than Halifax County's; if the Town operated its own School Board, its position would be much like the City of Halifax's and the provincial contribution would be less per capita.

It was moved by Councillor Kelly, seconded by Councillor Christie:

"WHEREAS the amount approved in the 1988 estimates of the Town of Bedford for education represents approximately 23 percent of the Town's total tax levy; and

WHEREAS this represents 22 percent of the residential rate and 23 percent of the commercial rate; and

WHEREAS from 1983 to 1988 the costs for education in the Town of Bedford have increased by 52 percent; and

WHEREAS the net cost per student for education in the Town of Bedford has increased by 27 percent since 1983 (i.e. 1983 per student cost, \$752 and 1988 per student cost, \$956); and

WHEREAS the Town has experienced a difficulty in the past with respect to receiving timely financial information and/or expenditure projections; and

WHEREAS it would appear that the District Board does not provide expenditure projections until such time as Provincial funding rates are determined; and

WHEREAS we assume that the County of Halifax is in a similar situation relative to the above factors; and

WHEREAS it was an objective of the two participating municipal Councils to eliminate excess funding to the Board over and above their required mandatory; and

WHEREAS the new Provincial supplementary funding encourages increased excess funding from the municipal units; and

WHEREAS the nature of this new Provincial supplementary funding relative to cost-sharing on excess costs has inherent in it ia "spent it or lose it" thurst; and

WHEREAS the Town, and hopefully, the County, wishes to ensure cost effectiveness, efficiencies, and value for their dollar with respect to expenditures on education; and

WHEREAS a perception seems to prevail respecting the lack of accountability between the Board and the participating municipal units;

BE IT THEREFORE RESOLVED that the Town of Bedford and the County of Halifax jointly initiate the completion of a comprehensive management audit of all operations of the District School Board in order to ensure adequate efficiencies and cost effectiveness;

BE IT FURTHER RESOLVED that a joint committee of representatives from the two municipal units be established in order to develop the Terms of Reference for such a study and that appropriate recommendations be brought forward relative to the cost of such a study, its timing, and a recommended qualified firm to undertake same."

Councillor MacKay expressed difficulty with the resolution, stating it takes two different directions. He stated all are cognizant that we want to keep taxes to a minimum and the School Board needs certain dollars to maintain their on-going operation. However, the resolution reflects the need to keep costs down, and it also looks at the spending of money and if it is done properly. He asked if there is perception that money is being wasted. He also stated an audit would take much time, and he asked if it would be expected to complete the audit before the budget is approved.

Warden MacKenzie also expressed objection to the resolution, stating members of each Council are appointed to the School Board and in their appointment, they should be assuring that all expenditures are worthy.

Councillor Kelly stated there is a responsibility of appointed Council members to assure that all dollars are spent in the proper way. He stated he is not sure the Board is not doing this, but the give the satisfaction and confidence that money is being spent properly, a comprehensive audit should be done. He stated over the past two years there has been an impression that there is a problem, and this audit will assure that all are doing their jobs. Councillor Kelly continued that this will not affect the 1988 budget, and the terms of reference for the audit would be determined by the committee to be established as per the second part of the resolution.

Councillor Wiseman stated the resolution calls into question the ability of the School Board to manage finances, and she wondered if either of the two Councils is in a position to question this. She stated the cost of a management audit is not cheap, and she questioned who would pay for it. Councillor Wiseman expressed objection to the insinuation that the Town of Bedford has difficulty receiving timely financial information and/or expenditure projections. She stated everybody gets this information at the same time; it is only a matter of asking for it. She asked that Council not support the resolution.

Councillor Merrigan stated the County and the Town of Bedford could probably use both the information from such an audit, but he could not support the resolution because the total cost is not known, and he felt the intent of the motion should be directed more towards the Provincial government rather than the School Board.

Councillor Reid stated he finds the resolution very offensive. He stated there is an audit done by the School Board and one done by the Provincial Department of Education every year, and a management study has already been discussed at the School Board level, as the Province is now implementing such a study for all the School Boards across the Province. There was some discussion concerning this comprehensive study to be done by the Province.

Deputy Warden MacDonald stated there were two committees organized in the recent past to look at the School Board, and this was completed successfully. There is also a financial audit done annually. He stated more should be known about the intent of the resolution before it is supported.

Councillor Lugar agreed with Councillor Reid that the Department of Education management study should be looked into before this resolution is supported, because if this study can be started in the fall, it may save the two participating municipalities some funds.

Councillor Kelly stated the two audits which are done annually are financial audits, which are completely different from that which is proposed. He stated he cannot understand the offense taken in this respect because this study can help the Board to be more effective and make Councils more effective in spending taxpayers money. He stated there is a large sum of money involved in the School Board budget, and there is a need for confirmation that this money is spent as it should be.

Councillor Eisenhauer agreed with Councillor MacKay that the resolution takes two different directions. He suggested the Union of Nova Scotia Municipalities should determine if Provincial funding policies are consistent. He noted there is already a committee to look at all aspects of the School Board involving members of the both Councils. He felt there is no need for an additional audit of the School Board, and changes by the Province in the funding formula seems sensible, and he stated he is completely satisfied in this respect.

Mayor Roberts asked if the budget as presented at this meeting was changed by the School Board or if it is presented as it was originally to the School Board. Councillor Wiseman advised that the original budget was presented to the Board in segments, and changes were made where it was felt to be necessary. She stated the budget presented has been revised by the School Board with a total of \$882,000 cut from the original.

Mayor Roberts stated the ability to pay has been said to be better for the Town of Bedford than the County, and he questioned this. He stated the Town of Bedford has additional responsibilities such as policing, road maintenance, etc., but the ability to pay is only determined by assessment and population. The Town receives no capital or operating grants. He stated the Town tried to get some information about the School Board budget, but they were not able to get this information, so the Town had to approve their budget without this information. A 10 percent increase for the School Board was allowed over last year, and it was felt this was a fair projection.

Councillor Mont stated he would vote against the motion. He stated every year a committee of one sort or another is established, and he felt it is costly and time consuming. He noted that during this setting of the legislature, there was discussion about the Auditor General's Department taking action such as proposed in the resolution, and if it is to be done, it should be left to the Provincial Government. He stated of course such an audit would be helpful, but it is not necessary.

Councillor Fralick stated he believes the School Board operates very efficiently and they do not incur any undue expenses. He stated he will not support the resolution.

Councillor Deveaux stated he will not support the resolution. He stated the Halifax County-Bedford District School Board provides the highest standard of education throughout the Province, and such an audit would not be good for the image of the School Board nor either of the municipalities. He stated nobody likes to see rising taxes, and he can sympathize with Bedford in this regard, but Halifax County pays more tax dollars to the School Board than the Town of Bedford.

Councillor Rawding stated he has difficulty with some of the implications of the resolution. He stated trying to provide on-going financial information during the year for the School Board is a very big job, and the Finance and Operations Committee has had problems over the cost in this regard. This problem has been resolved somewhat by the computer system which we have been working on, and he expressed hope that the system will be fully operational by the fall.

Councillor Lichter stated he came to this meeting to discuss the School Board budget rather than School Board operations or an audit. He stated the main concern should be whether or not the Province provides consistent funding throughout the Province. He stated efficiencies can be created but not by consultants, and auditors - people are looking to do these studies for people's tax dollars. He also agreed that the Provincial approach to spend it or lose it is not appropriate, and he suggested this should be communicated to the Department of Education. He concluded that he will not support the motion, as he is here to deal with the budget.

MOTION DEFEATED

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

"THAT Halifax County and the Town of Bedford provide a combined contribution of \$13,987,065 to the Halifax County-Bedford District School Board for 1988."

It was moved by Councillor Kelly, LOST FOR A SECONDER:

"THAT the School Board budget be deferred until the Town of Bedford has an opportunity to review the information presented at this meeting."

MOTION DEFEATED

Councillor Rawding inquired about reducing the 1988 budget by \$278,000. Councillor Wiseman stated the budget would have to be looked at by the Board to determine where this could be cut.

There was some discussion about affects of a cut to this budget.

Councillor Reid stated the agreement between Halifax County, the Town of Bedford, and the Province with regard to supplementary funding is that if the County and the Town do not provide anything, the Province does not provide anything.

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

"THAT the County of Halifax and the Town of Bedford provide \$13,987,066 to the School Board with Halifax County paying the extra \$1 over and above the request of the School Board."

Councillor Reid clarified that this is \$1 above the supplementary and mandatory funding as proposed by the School Board.

MOTION CARRIED

There being no further business, the meeting adjourned at 3:05 p.m.

COMMITTEE OF THE WHOLE

MAY 24, 1988

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

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. Ken Wilson, Director of Finance
Ms. Gerrie Masters
Nancy Dempsey-Crossman, Administrative Assistant
Rob Ferguson

It was agreed that the meeting be held in-camera.

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

"THAT the Councillors keep the confidential report, study it and meet again next Tuesday, May 31, 1988 at 4:00 p.m. to further discuss the report and address any concerns and further, that the report be refined and brought back again next Tuesday."
MOTION CARRIED.

ADJOURNMENT

There being no further business, the meeting adjourned.

PUBLIC HEARING

ADOPTION OF THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW
FOR PLANNING DISTRICTS 1 AND 3

MONDAY, MAY 30, 1988

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

ALSO PRESENT: Mr. G.J. Kelly, Municipal Clerk
Mr. D. Weir, Acting Municipal Solicitor
Ms. Valerie Spencer, Director, Planning & Development
Mr. W. Butler, Manager, Policy Division
Mr. Brant Wishart, Senior Planner
Ms. Joan MacKinnon, Planner

SECRETARY: Glenda Hill

Warden MacKenzie called the public hearing to order at 7:05 p.m. Mr. Kelly called the Roll. Warden MacKenzie reviewed the procedures for the public hearing, advising it is for the adoption of the Municipal Planning Strategy and Land Use By-law for Planning Districts 1 and 3.

Councillor P. Baker advised that he has been made aware of some discrepancy in the planning boundaries whereby the District 3 planning boundary overlaps the District 4 political boundary. He suggested it would be good to resolve this before many of those people come forth to present their views on this issue.

It was agreed that Mr. Wishart would first present the Plan and Land Use By-law, and Council could subsequently bring forth any questions or concerns.

Mr. Wishart began by thanking the PPC members for their hard work and dedication in preparing this Plan.

Mr. Wishart next reviewed amendments to the draft Plan and Land Use By-law, which were to correct typographical errors or for clarification purposes.

The first amendment was with respect to Policy P-72 of the Municipal Planning Strategy, replacing "expansion of existing uses" and "Appendix "B"" with "expansion of existing commercial and industrial uses, not otherwise provided for," and "Appendices". The purpose of this amendment is to clearly indicate what uses are to be placed in Appendices of the By-law. Mr. Wishart indicated that the word resource should be deleted from the Council copy.

The second amendment was with respect to Policy P-85 deleting the phrase "the new permitted use and" and replacing it with "uses permitted as", the purpose being to correct a typographical error and garbled text.

The next amendment was deleting the term "Ocean Mist Mushroom Farm", wherever it appears and replacing it with "Kreft Mushroom Farm Ltd. (LRIS Index Number 40055766), formerly Ocean Mist Mushroom Farm,". The purpose of this amendment was to clearly indicate the reference property as it recently changed hands.

The first amendment to the Land Use By-law was for the purpose of ensuring development rights to all existing campgrounds. The amendment was to delete Section 4.10 (d) and replacing it with "campgrounds in any designation according to the applicable provisions of the Mixed Use 1 Zone;". The amendment would also assist administration of the by-law with reference to marinas as they are handled under the MU-1 Zone.

The second amendment to the Land Use By-law was to delete Section 11.12 (Commercial Entertainment Uses) from Part 11, and renumbering the sections thereafter by inserting Section 11.12 in Part 17: I-1 (General Industrial) Zone, as Section 17.7, the purpose being to properly locate a section of the by-law that had been placed in the wrong part.

The next amendment was to indicate that the setback only applies to industrial uses and to ensure that no non-conforming uses are created. Effectively, the amendment deleted the phrase "no building" in Section 17.6 in the I-1 (Industrial) Zone (not I-3 as in Council's copy) and replacing it with the following: "no industrial use"; and by adding the following to the end of Section 17.6: "Notwithstanding this, any existing use within this setback distance shall be a permitted and conforming use."

A fourth minor amendment to the Land Use By-law was deleting the phrase "no building" in Section 19.6 in the I-3 (Industrial) Zone and replacing with the following: "no industrial use", the purpose being to indicate that the setback only applied to Industrial uses.

The final amendment reflected the change in hands of the Mushroom Farm. It included deleting the term "Ocean Mist Mushroom Farm" wherever it appears and replacing it with "Kreft Mushroom Farm Ltd. (LRIS Index Number 40055766), former Ocean Mist Mushroom Farm,".

Questions from Council

Councillor P. Baker advised there is some concern over the boundary for the Districts 1 and 3 Plan extending into District 4 in the area of the Peggy's Cove preservation area. He stated when the Peggy's Cove preservation area was set up years ago, the boundary extended into District 4. There are several large parcels of private property here, and they cannot develop this land as they please, although they have to pay the taxes on it. He stated it is much like expropriation without compensation.

Councillor P. Baker requested that the boundary line for the use the Plan be moved to keep Dover out of these documents.

It was moved by Councillor Fralick, seconded by Councillor P. Baker:

"THAT the boundaries for the Districts 1 and 3 Planning Strategy be amended to coincide with the political boundaries for Districts 3 and 4."

Mr. Wishart clarified that Councillor P. Baker is requesting that the plan area boundary be amended to coincide with the district boundaries in the area of the Peggy's Cove preservation area. The area was pointed out on the map. He stated this would result in the Peggy's Cove preservation area being included in two different plan areas, and it was the intention to have it all included under one plan. He advised that staff felt Council could make the amendment as requested by leaving a portion of the boundary line out, which will move the boundary line back to District 3; however, he felt this would have to be done after the public hearing.

There was some discussion in this regard. Several felt this issue should be settled now. There was also discussion about the difference between planning boundaries and electoral or district boundaries.

Mr. Weir felt Council should not amend a by-law that has not been passed yet. He suggested the public's submissions with regard to any part of the Plan should be heard and voted upon when Council reconvenes after the public hearing. He stated the only necessity is to hold the public hearing, and any motion with regard to the adoption of the by-law could then be heard.

Councillor MacKay expressed concern that taking out that portion of property in question before the public hearing is heard would give somebody grounds for appeal the adoption of the Plan and By-law.

Councillor Lichter informed that the PAC has agreed to hold a special meeting on June 1, if necessary, to deal with any amendments staff have to make with regard to this Plan. He noted that the land in question cannot be developed in any manner whether it is left in this Plan or not, and deleting it from the Plan at this point would have no affect on this Plan, legal or otherwise; and deleting it will allow the PPC to negotiate it with PAC until the District 4 plan proceeds.