

QUESTIONS FROM COUNCIL

Councillor MacDonald asked if the Beaverbank Superstore Market up the road above Stokil Drive had been taken into consideration in his survey and also the convenience store on Millwood Drive. Mr. Weatherby replied yes. They were all itemized separately in the original report and identified by location.

Councillor MacDonald stated there was a piece of land on the corner of Stokil Drive and Beaverbank Road which was rezoned for a convenience store. Mr. Weatherby replied he was aware of this and had made comment in the report that this may have some impact on any proposal for general commercial types of uses.

Councillor MacDonald noted there were a lot of stores within a quarter mile of the proposal. Mr. Weatherby agreed and said the closest one would be two stores, a convenience store and video store at the entrance to Woodbine Trailer Park on Beaverbank Road. The approximate commercial floor area of that particular building was 2,000 sq. ft. and it would serve the immediate area of the Woodbine Trailer Park and the immediately surrounding residential neighbourhood. The other development mentioned, the Millwood Convenience Store, was a typical corner store with a floor area of approximately 1,000 to 1,200 sq. ft. which would serve the immediate surrounding neighbourhood and nothing beyond.

Councillor MacDonald asked if the floor space predicted who would shop there. Mr. Weatherby replied it dictated the variety and range of goods and the number of lines a store could market. The broader the range of lines, the wider the attraction would be.

SPEAKERS IN FAVOUR

Mr. Phil Reid stated he was the Controller for the Armoynan Group in Halifax. He said he had comments to make stemming from questions asked at a Public Participation Session held at a Sackville Community Committee meeting.

With regard to why not build on the land currently approved at 5,000 sq. ft. and if the building proved viable, make application to extend, Mr. Reid explained that the cost of a second site localization to the corner of Stokil and Armcrest Drives would prohibit this as an alternative. The duplication of site preparation, contract preparation, plans, insurance bonds, site communication, provision in the initial plans for power, plumbing, wall finishing, etc. and site disruption while further development was occurring would all make this an unviable alternative.

With regard to sidewalks around the site, Armcrest Drive was served to the corner with a sidewalk and the Stokil Drive area sidewalk would be determined by the County on the application of sidewalk connections along Stokil Drive.

Mr. Reid stated the oversupply of commercial within Sackville has been addressed by Mr. Weatherby. He commented that Armoyan Group was a land packager, not a land builder. It was the intention of Armoyan Group to provide an attractive land use package that could be successfully marketed. He said that prospective developers in today's climate had indicated that 5,000 sq. ft. was a restriction that severely limited the use of the topography of the land and other features. It was, therefore, requested that the site footage be increased to a maximum of 8,300 sq. ft. which was further supported by preliminary architectural work on the site for provision of the buffer zone and stabilization of the lands and landscaping. Accordingly, what was being requested was the option to have the maximum land use that could be satisfactorily placed on the lot and still meet the CDD requirements.

QUESTIONS FROM COUNCIL

None

SPEAKERS IN OPPOSITION

Mrs. Mary Thibault, 2 Sampson Drive, stated she lived on the corner of Stokil and Sampson Drive, which was approximately one block away from the area in question.

She stated she came to appeal to Council's better judgement as to why this proposal should not be approved. She stated she had lived in the area for over 13 years and has never felt there was a need for the services that were proposed in the development in a residential area. There was already a strip mall within walking distance at Glendale and Beaverbank Roads.

She said she was surprised that in the market study, nothing was ever said about the infamous Sackville Town Centre. The story about the need for a commercial development in a residential area speaks for itself when considering the Sackville Town Centre which was about 1 kilometer from the proposed development. She stated she had the opportunity to speak to residents of that area regarding their battle at the time the Town Centre was being considered and they were told they were standing in the way of progress. Even after further construction in the area, the Town Centre still sits empty of any business. She said so much for progress.

Mrs. Thibault stated that people still preferred to utilize the facilities on Sackville Drive, where most of the businesses exist. Small shops, as proposed, would not draw business because of high costs. She felt that if the development were approved, it would be like so many strip malls in the Bedford/Sackville area already, sitting empty of business, and eventually becoming an eyesore.

She said that speaking as a parent of young children and being concerned with youth, the idea of the development threatened parents as they would have no control of renters and could actually end up with a liquor mart. The proposed strip mall would be within walking distance of an elementary school and it was a known fact that this type of facility nurtured a problem with drug trafficking. She said in light of recent tragedies at a convenience store and McDonalds in Cape Breton, it became more urgent that this development not be permitted to expand in the heart of the residential community.

She said that, in listening to the presentation by Armoyan Group at the Sackville Community Committee meeting and tonight, there were so many ifs and concepts and requests for flexibility to alter in their proposal that she honestly could not see how or why anyone on Council could, with an open mind, approve the project. As far as the market study done for the current and future trade areas for the development, she said it was unrealistic to believe that people who lived across the Beaverbank Road and up into the Millwood development would utilize such a facility. She said the small convenience store in Millwood, in its short life, has already been forced to come under new management because it has been proven time and again that these facilities were neither wanted nor needed in residential areas.

She stated that since the Armoyan Group presented a drawing of a concept of a development, she presented a conceptual drawing of her own.

She stated that when Armoyan Group first came to a meeting with the residents of Sackville about the proposed subdivision where Armcrest Estates presently exists, the residents were told then that it would be just one convenience store. Since then, the development has grown to 5,000 sq. ft. and now they are requesting 8,300 sq. ft. She said if she thought there was anything she could do to prevent the construction of the commercial space that was already approved, she would be there to fight.

QUESTIONS FROM COUNCIL

None

SPEAKERS IN OPPOSITION

Mrs. Jane Giles, 205 Stokil Drive, stated that Armoyan Group advised in its 1989 letter to abutting residents that they had applied for a CDD because "this type of development has advantages for all parties involved - the developer, the Municipality and, most importantly, the local residents. Through a CDD the entire 60 acre site will be completely preplanned prior to the commencement of development. Families moving into the area, as well as existing abutting property owners, will have the advantage of being able to

visualize the complete development of the preplanned neighbourhood before it begins".

Mrs. Giles stated that in June, 1990 the Armoian Group, at a Public Hearing, tried to convince Council and residents that a 5,000 sq. ft. commercial centre would fit in well in a residential setting and they showed a picture of Oakmount Centre in Bedford which had no entrance to the mall from a residential street, only the Bedford Highway. The Oakmount Centre does not compare to the Stokil Drive situation. After knowing the residents' concerns and opposition to their 5,000 sq. ft. proposal, the request for a 15,000 sq. ft. proposal last December shows a blatant disregard for the long-established local residents. County staff had recommended that Council reject the 15,000 sq. ft. proposal stating that the 10-15,000 sq. ft. shopping centre was designed to serve several local neighbourhoods which extend well beyond the serviced area for which the Armcrest agreement was originally intended and that the scale of the shopping centre more closely resembled a general commercial development which was only permitted within commercially designated areas of the Planning Strategy. She said that now County staff was recommending that Council approve the 8,300 sq. ft. because "the scale and mix of activities now proposed by the applicant are more in keeping with a local service use than the previous proposal". She asked how the scale could be considered appropriate for a residential street when normally it would require a C-1 zoning and those residents were afforded the protection of a limited scale of 2,000 sq. ft. of gross floor area. She stated that because the Armoian Group had a CDD, it did not entitle them to more than quadruple that scale; the restrictions in the By-laws were set for reasons and the applicant already has approval for 3,000 sq. ft. over the normal limit because two years ago Councillors were pressured, while the entire subdivision was put on hold and machinery sat idle pending a resolution of the commercial component. She said 8,300 sq. ft. would make the restriction of 2,000 sq. ft. imposed on other businesses in C-1 zones ridiculous. It would make a mockery of the Planning Strategy and the By-laws.

Mrs. Giles stated that perhaps County staff liked the artist's rendition of the commercial centre. It was not a drawing of the proposed one as the Armoian Group, as land developers and as Mr. Reid stated, has no control over the actual design of the building. The land buyer and developer constructs so she asked why would the picture be shown as it was merely a marketing tool. She pointed out that the list of tenants was a list of possible tenants the new landowner hoped to attract; it was not stated anywhere in the agreement that these were, in fact, the businesses that would be housed in the structure, if approved. She stated that any service or personal service shop for local use was allowed and asked if this could include a laundromat with video arcade machines, lotto gambling machines, second hand book store, etc. She said the proposal on the mix of activities suggested by the applicant misled one to think that the businesses that were most desirable were, in

fact, the ones that would be tenants. She said there were no such guarantees and she could only surmise that County staff, not having the input from those who lived in the area, could not make a completely informed decision.

Regarding viability, Mrs. Giles said the Armoian Group thought that a 5,000 sq. ft. structure was not as viable, that 8,300 sq. ft. would be easier to market. She asked why a developer would consider purchasing this land to risk investment in such a large-scale structure with full knowledge that his tenants' trade areas were so restricted, assuming he was being shown the local trade areas allowed and not the market study of several local neighbourhoods. She stated Council would not be doing the individual businesses any favour by encouraging such restrictive trade. Mrs. Giles said she was all for viable and sustainable businesses in commercially designated areas but asked that residential neighbourhoods not be sold out as if Sackville had no other lands to develop commercially.

She said an additional, but not less important, issue was current traffic and safety considerations on Stokil Drive. The situation was becoming critical and has been a very real and vocal concern to parents and educators. Petitions have been collected to be presented to the Minister of Transportation for sidewalks on Stokil Drive from Armcrest Drive to Nordic - the elementary school zones. She asked if it was justifiable to construct a strip mall adjacent to a double elementary school zone as the concentration of children from 33 streets attending the schools on Stokil Drive must be a factor in Council's decision.

Mrs. Giles stated she hoped Council would give very careful consideration to the proposal and that they would consider the wishes of the residents before one company which wanted the best return on its investment. She asked why the CDD was approved in the first place with such a large parcel of land set aside for commercial use and asked how Councillors did not foresee that the developer would eventually go after the maximum floor space he could get away with on a lot that size. She said, in her opinion, Council left the door open when they approved the 5,000 sq. ft. without stipulating that the lot size be reduced to 20,000 sq. ft. to correspond. There was nothing in the CDD Agreement of the zoning By-laws for Sackville that entitled them to cover 25% of the land. The CDD Agreement stated that where provisions of the agreement conflict with those of any other municipal by-laws or codes, the higher or more stringent requirements shall prevail. The Urban Residential designation states that the scale must be in keeping with surrounding use. She said that surely Council could not think that the scale of the strip mall was in keeping with that of surrounding uses. She pointed out that in the Urban Residential designation P-34, there was a noted concern about these types of development and she quoted same. She said that Stokil Drive was not a highway yet and deserved even greater concern for

encroachment; however, it appeared possible that Stokil Drive from Grennan Drive to Beaverbank Road might become a commercial corridor and, if approved, the residential character of the neighbourhood would be forever altered and a precedent would be set for other areas of Sackville.

Mrs. Giles said she hoped, unless it was procedure, that the motion might be made by a Councillor other than Deputy Warden Sutherland as he was their representative and, irrespective of which way he voted, for him to have to make a motion against his constituents seemed fundamentally wrong and would anger the people he represents, unless his motion was to reject the amendment. She urged all Councillors to reject the amendment.

QUESTIONS FROM COUNCIL

None

SPEAKERS IN OPPOSITION

Mrs. Lana White, Boxwood Crescent, stated her street backed on Stokil Drive and she had spoken to many residents in the area who were concerned about the development. She had some very strong concerns about the safety of her school-age children as the proposal would significantly impact on the traffic on Stokil Drive and their safety. She asked that Council consider this.

QUESTIONS FROM COUNCIL

None

SPEAKERS IN OPPOSITION

Mr. John VanRoode, Boxwood Crescent, stated he had two small children, was concerned with the lack of sidewalks and the amount of traffic that would increase on Stokil Drive. He said he could not see the viability of the 8,300 sq. ft. proposal. He said he could not foresee that there would be pedestrian access to the new strip mall; therefore, it would be necessary to drive and most likely, in that case, you would drive to the Superstore - the store on Millwood Drive had proven this. He commented on the number of vacant storefronts he saw throughout the region in general and said that the people who tried to make a go of their business in this location would have an uphill battle.

QUESTIONS FROM COUNCIL

None

SPEAKERS IN OPPOSITION

Mr. Kevin Rhynold, Boxwood Crescent, stated he had two small children and Stokil Drive was barely wide enough at present for two cars to pass, if one was parked, and that was how children went to school now. He said it was not necessary to have a convenience store located the same as super mailboxes - so many feet from a house. A convenience store was called that because you could get in your car and go to it. He said if he was a developer with a piece of land that was viable to sell, for whatever reason, he would be stuck with it. If it had to be modified to sell, then that was passing on the problem.

QUESTIONS FROM COUNCIL

None

SPEAKERS IN OPPOSITION

Mr. Ken Turner, 218 Stokil Drive, stated he was concerned with the strip mall and the convenience store at the corner of Stokil and Beaverbank. There were numerous strip malls already and he could not see the viability of adding another commercial section to one already approved at the corner of Stokil and Beaverbank. He stated his biggest concern was traffic on Stokil Drive - he was a statistic. A year ago in January, he was hit by a hit and run driver at the corner of Stokil and Grennan Drives, his dog was killed and he was almost killed himself because of the traffic and speeding on Stokil Drive. He said that to this date, it was unknown who had hit him and if the person would ever be caught. He said that Stokil Drive was very narrow and he was concerned with the children making their way to school. He stated that Deputy Warden Sutherland had put forward a motion to get traffic lights and speeding signs installed and it took approximately four months to have one speeding sign erected. He stated that since the extension from Grennan Drive to Beaverbank Road, the traffic on Stokil Drive has almost doubled - the traffic and even the buses speed. He said he had no faith in the RCMP and hoped he did not go away with the same opinion of Council if they did not take into consideration the concerns of the residents. Another store was not needed and the traffic that went with it.

QUESTIONS FROM COUNCIL

None

DECISION OF COUNCIL

Deputy Warden Sutherland stated that, contrary to what Mrs. Giles said, he had no difficulty dealing with this subject. He commended the residents for coming forward and presenting Council with facts and figures. He said he wanted, however, to take Council back a little further to the time when the CDD Development came before Council. The original Staff Report said that, in Staff's opinion,

local commercial could be satisfied by a square footage of approximately 2,000 sq. ft. when 5,000 sq. ft. was being recommended. He said he had some difficulty with that but, keeping in mind that it was an honest attempt to localize any commercial, the projected population of Armcrest Estates as well as the three large apartment units that were going in, he thought it was a reasonable attempt at that time to provide a lot that would service this. When Armoian Group came back with a proposal for 15,000 sq. ft., he thought that was far too much and 8,300 sq. ft., in his opinion, was still too much. Armoian Group has the approval for 5,000 sq. ft. and that should be as far as Council should be prepared to go. He said Council has heard from the residents and he had no difficulty in supporting them.

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

"THAT THE REQUEST BY ARMOIAN GROUP LIMITED TO AMEND THE ARMCREST ESTATES CDD TO INCREASE THE MAXIMUM PERMITTED FLOOR AREA OF THE CDD'S COMMERCIAL LAND USE COMPONENT FROM 5,000 TO 8,300 SQUARE FEET, AS SPECIFIED IN APPENDIX 'A' OF THE STAFF REPORT DATED FEBRUARY 17, 1992, BE REJECTED BY MUNICIPAL COUNCIL".

Deputy Warden Sutherland added that there were difficulties in terms of street configuration. There were no sidewalks at present and, although there was a bus route through the area, Stokil Drive was essentially a local street, not a collector road and not designed as such. There were problems at present with dealing with the traffic demands.

MOTION CARRIED UNANIMOUSLY.

2. RA-FEN-02-91-18 - Application by the Armoian Group to rezone an approximately 113,000 sq. ft. parcel of land located east of the intersection of Kingswood Drive and Hammonds Plains Road from MU-1 (Mixed Use 1) Zone to C-4 (Highway Commercial) Zone in order to permit a commercial plaza.

The Staff Report was presented by Jim Donovan who advised that this was an application by the Armoian Group Limited to rezone an approximately 113,000 sq. ft. parcel of land located southeast of the intersection of Kingswood Drive and Hammonds Plains Road from MU-1 (Mixed Use 1) zone to C-4 (Highway Commercial) zone. The stated purpose of the application was to permit the development of an 8,000 sq. ft. commercial plaza on the property. The proposed strip mall, along with a 44 car parking area was intended to be accessed by way of an entrance onto Hammonds Plains Road as shown on page 7 of the Staff Report. The lot under consideration was described as Lot 130 of Phase 1 of the Kingswood on the Lake Subdivision and comprised the remaining lands in this phase of the subdivision. He said this meant that although the lot was eligible

for municipal permits, it had not been assessed for septic disposal suitability by the Department of Health. The property itself was generally flat and sloped gradually eastward down the Hammonds Plains Road towards the intersection of Kearney Lake Road. The west portion of the site was primarily treed and the east half of the site was cleared and contained two 138 Kv power transmission lines which formed part of a major utility corridor in the area. The property had 167' of frontage along Hammonds Plains Road and approximately 492' of flankage along Kingswood Drive.

Mr. Donovan showed slides to illustrate.

He advised the property under consideration was situated within the Mixed Used B designation according to the Municipal Planning Strategy for Districts 15, 18 and 19 and was presently zoned MU-1 (Mixed Use 1) zone. The designation was intended to recognize and encourage a mixed pattern of development which has traditionally occurred along the main road network within the plan area. The MU-1 zone has been established as a base zone within that area. The zone itself permits a wide range of land uses with the anticipation that residential or more distinct commercial areas would evolve over time. The present zoning permits a wide range of residential, commercial and other uses; however, permitted commercial uses within the MU-1 zone were restricted to 2,000 sq. ft. which would preclude the development of a commercial plaza as proposed by the applicants. He said that notwithstanding the overall policy intent of the Mixed Use designation, the Planning Strategy also recognized a need to provide an opportunity for new commercial uses in order to provide services to a growing local market in nearby urban areas. In this regard, the Planning Strategy provides for the application of either a C-2 (General Commercial) zone or a C-4 (Highway Commercial) zone. The main distinction between the two zones was that the C-2 zone permitted a maximum floor area of 5,000 sq. ft. whereas the C-4 zone permitted more extensive use of space for outdoor display and larger commercial developments of up to 10,000 sq. ft.

Mr. Donovan said that in this instance the applicants had applied for the C-4 zone because it was less restrictive than the C-2 zone and would accommodate the proposed 8,000 sq. ft. strip mall. He said that in considering development proposals for the application of the C-4 zone, the Planning Strategy had some specific evaluation criteria which must be addressed by Council in considering applications of this nature. These included proximity of the land to be rezoned to other commercial uses, the potential for adversely affecting adjacent residential and community facility uses, the impact of the site design, the operational characteristics of the proposed use on the surrounding community, if the site has direct access to a collector highway, the impact of the use on traffic circulation and that no rezoning from a residential or rural residential zone be considered. In addition to these criteria, there were general implementation provisions outlined in Policy 121

of the Municipal Planning Strategy which also should be considered and a summary of all these policies were outlined in Appendix "A" of the Staff Report.

Mr. Donovan stated that on the basis of the preliminary site plan which was submitted with the application by the proponent, it was the opinion of staff that the development of this property for a commercial plaza met or was capable of meeting the criteria outlined in the Planning Strategy. The property was located in proximity to another commercial use - the Green Gables store located 300' northwest of the site - and the intervening lands between the two properties were currently vacant. In addition, direct access to the site was intended to be gained by way of access onto Hammonds Plains Road, which was an identified collector road according to the Planning Strategy. Department of Transportation reviewed the site plan submitted and approved in principle the proposed location of the access. More detailed site evaluation of the access would be required at the time a building permit or development permit application was made, should the application for rezoning be approved.

With regard to the remaining criteria outlined in Policy 17 of the Municipal Planning Strategy, no rezoning from a residential zone was being contemplated and the impact of the site design and operational characteristics of the use of the surrounding community was minimized by site design characteristics such as putting the parking lot in the front of the building and having the front of the building face away from the residential area. Also, the developer has indicated that some landscaping and the maintenance of existing tree cover would be maintained along the Kingswood flankage part of the property in order to minimize the associated effects of the commercial development on the residential area behind it. The access to the site was being proposed solely from Hammonds Plains Road. Although this might have some benefits, staff has identified that the residents living in the subdivision would be required to exit the subdivision and re-enter the site if it was the only access point. It was suggested that a secondary access be included in the final site design should the rezoning be approved so that the secondary access would be made onto Kingswood Drive. The provision of a secondary access in this way would not be inconsistent with the Planning Strategy's stipulation that the primary access to the commercial site be from a collector road.

Mr. Donovan stated that the general implementation policy of the Planning Strategy outlined in Policy 121 required that the proposed rezoning be evaluated in terms of the overall suitability of the lot under consideration to support the intended use. In this case, the lot itself was over 100,000 sq. ft. and was intended to be serviced by central water services and an on-site septic disposal system. Although the Department of Health has not approved the suitability of the site for septic disposal, it has not indicated a concern with respect to the proposed rezoning; however, the

Department of Health has recommended that more specific details relating to the occupancy of the building be made available at the permit stage should the rezoning be approved. Department of Engineering and Works has also reviewed the proposal and recommended that the developer demonstrate that there was adequate fire flow capacity in the central water system and that a drainage plan be submitted for review and approval at the time of application for any permits. In addition, a Topsoil Removal permit would be required prior to the start of any construction.

Mr. Donovan said that the presence of the existing power transmission lines was raised with the Power Corporation and they indicated that, insofar as the building would not be located within its right of way and provided that adequate precautions were taken during construction, they had no concerns with respect to the development and the proximity of the transmission right of way. Also, Policy 121 requires an evaluation of the proposal relative to its ability to meet the zone that was being applied for and, in this case, all applicable requirements respecting commercial uses in the C-4 zone were capable of being met.

Mr. Donovan stated it was, therefore, the conclusion of staff that the proposed rezoning was consistent with the policy requirements considering the types of uses in the plan area according to the Planning Strategy and no site related problems had been identified with the development of the property for the stated purpose. It was, therefore, the recommendation of staff that rezoning be approved.

QUESTIONS FROM COUNCIL

Councillor Giffin stated that he had recently seen an updated version of the site plan and there was a secondary entry off Kingswood Drive approved by Department of Transportation.

Councillor Peters asked if the land surrounding the proposed zoning change was all parkland. Mr. Donovan responded there was a substantial amount of parkland to the south of the site which went along Kingswood Drive. She asked why there was parkland with power lines running over it. Mr. Donovan said this was a question that crossed his mind as well but he did not know the answer. He thought that the power line, a drainage easement and parkland were all somehow connected.

Councillor Peters asked if the land abutting the parkland would be treed and landscaped. Mr. Donovan responded that the land along Kingswood Drive would be treed and the parkland would be in clear view of the property. Part of the property was already cleared up to the transmission lines and the other part of the property in the area of the disposal field was presently treed; however, he was not sure if the developer intended to retain the 50' strip between the disposal area and the parkland as treed buffer.

Councillor Peters asked if the possibility existed that if there was going to be access from Kingswood Drive, then the disposal bed area would have to be pushed further back so that the driveway did not go over it. Thus the 50' buffer would be lost. Mr. Donovan stated this was a possibility. He had not seen the updated version of the site plan as Councillor Giffin had. Councillor Peters stated she had concern with a commercial property abutting parkland without a buffer zone.

Warden Lichter asked if lot sizes for District 15, 18 and 19, according to their Municipal Planning Strategy and Land Use By-law, would have to follow Atlantic Health Unit regulations. Mr. Donovan replied yes.

Warden Lichter stated the regulations called for, if soil conditions were bad, for a minimum 100,000 sq. ft. in case of Category 3 for a single family residential dwelling. He stated that this proposal was for an 8,000 sq. ft. strip mall and he had some difficulty with not knowing what was proposed to go in the strip mall and having the developer possibly find out after going through the rezoning, if successful, that the lot could not be approved for an on-site sewage disposal system for anything other than a single family residential dwelling because any higher use could not be accommodated by the soil conditions. He asked if it was not possible at least to examine the soil conditions by Atlantic Health Unit to know whether Category 1, 2 or 3 applied. Mr. Donovan replied that the response from the Department of Health had indicated that comments and recommendations regarding suitability of the site for on-site sewage disposal could only be made after completion of a complete site evaluation, taking into account such factors as size, clearance distances from property lines, topography and soil conditions. In addition, specific details of the occupancy of the proposed building would be required. Mr. Donovan stated Department of Health was made aware at the time of their comments that this was a commercial proposal.

Warden Lichter stated he would hate to find that Council, with the best of intentions, approved rezoning and find out afterwards that it could not be used for any commercial purposes because the soil conditions were not good.

Councillor Merrigan asked if the property was rezoned, would Armoyan Group be able to put in a service station and the like on the property. Mr. Donovan advised that was correct but on the basis of what was submitted, this was not part of the proposal. As the developers indicated earlier, however, they were not in the business of actually developing the site but packaging it in a way so that someone else could. It was staff's understanding that the reason behind the application for C-4 was primarily to permit a larger building. The C-4 zone permitted up to 10,000 sq. ft. whereas the C-2 zone permitted only up to 5,000 sq. ft.

SPEAKERS IN FAVOUR

Mr. Phil Reid stated he was Controller for the Armoian Group of Halifax. He stated it was not the intent to have the land developed as a service station; the goal was to have it as a residential service type neighbourhood store with highway collector road access. Because of the growth being experienced in the Kingswood Subdivision, the indications from new residents was that the development of commercial premises at the entrance to Kingswood Subdivision, with service capabilities from Kingswood Drive, would be of some enjoyment. From the Armoian Group point of view, to market the development would also assist in the forward marketing of the Kingswood on the Lakes development.

He stated that the concern with the landscaping of the lot, as the slide presentation showed, was already cleared for the Nova Scotia Power easement and there was no ability to landscape the front of the easement up to the driveway. Beyond the driveway and around the corner there was some heavy tree growth already in place and it was the intention to retain them. Up to the parkland portion, it was again heavily treed. The involvement with the easement from Nova Scotia Power has received tentative comment that they will allow access under the easement for parking and provided Department of Health's requirements can be met for on-site septic disposal, they would consider an application when approval from Department of Health was obtained. He pointed out that until they were able to have determination of the availability and usage of the site, they would be unable to prepare sufficient documentation to go to Department of Health identifying exact usage. At this stage, the C-4 zoning was being requested to enable Armoian Group to go to Department of Health for test holes and determination of sewage and grading that would be required for a building of that size.

QUESTIONS FROM COUNCILLORS

Councillor Richards noted this was a fairly large parcel of land and asked if it would be Armoian Group's intention to sell the land to a contractor or someone who was willing to build on it. Mr. Reid advised yes but the land, because of the Nova Scotia Power easement, makes development for residential difficult. Councillor Richards asked if the easement affected the price of the parcel of land. Mr. Reid responded that the price was always affected by the surrounding area.

Councillor Richards asked if an oil company wanted to buy the land and get rid of all the trees, would that be a consideration. Mr. Reid said he could not answer on behalf of Armoian Group; his instructions for the use of the land was for development of commercial premises that would serve the Kingswood Subdivision. He thought something could be written into any decision for rezoning to exclude specific uses.

Councillor Richards referred this question to the Municipal Solicitor as he did not think this could be done on a rezoning. Mr. Dickson responded that was correct. Councillor Richards stated this was something that Council would have to consider because the Armoyan Group was not going to develop it.

SPEAKERS IN OPPOSITION

Mrs. Jean Pender advised her lands were at the corner of Hammonds Plains and Kearney Lake Roads, both the western and eastern corners, and she was particularly worried about the effect storm drainage from the Armoyan Group property might have on the western parcel of her lands.

QUESTIONS FROM COUNCIL

None

DECISION BY COUNCIL

It was moved by Councillor Giffin, seconded by Councillor Cooper:

"THAT THE APPLICATION BY THE ARMOYAN GROUP LIMITED TO REZONE AN APPROXIMATELY 113,000 SQUARE FOOT PARCEL OF LAND, LOCATED SOUTHEAST OF THE INTERSECTION OF KINGSWOOD DRIVE AND THE HAMMONDS PLAINS ROAD, FROM MU-1 (MIXED USE 1) ZONE TO C-4 (HIGHWAY COMMERCIAL) ZONE, IN ORDER TO PERMIT A COMMERCIAL PLAZA BE APPROVED BY MUNICIPAL COUNCIL".

Councillor Richards said that, as stated by the party representing the applicant, although there were intentions of promoting the property for a particular use, and asked for confirmation of the fact that by permitting the zoning, it opens the door to the developer putting in anything permitted in that particular zone as long as the land was suitable for the development. Warden Lichter responded this was so.

Deputy Warden Sutherland stated that Staff Report was vague insofar as storm drainage runoff was concerned. He did not know if the concern raised by Mrs. Pender was legitimate or not.

Mr. Donovan responded that the application had been referred to Engineering Department for comment and they indicated that there would be additional storm flows. Engineering Department will require a site drainage plan to be provided by the developers at the building permit stage. At this particular time, it was hard to determine the degree of impact.

MOTION CARRIED.

3. RA-SA-01-92-16 - Application by 500 Ventures Limited to rezone the property located at 169 Kaye Street in Lower Sackville from R-1 (Single Unit Dwelling) Zone to R-2 (Two Unit Dwelling) Zone in order to permit a basement apartment.

The Staff Report was presented by Jim Donovan who advised that the application submitted on behalf of 500 Ventures Limited was to rezone property at 169 Kaye Street in Lower Sackville from R-1 (Single Unit Dwelling) zone to R-2 (Two Unit Dwelling) zone in order to permit the proposed conversion of an existing single unit dwelling on the property to a two-unit dwelling. Subject to rezoning, the applicants intend to establish one apartment unit on the main floor of the building and a second unit in the basement. Both units are to be offered as rental units. He advised that the property was located near the southeast end of Kaye Street, just up from Centennial Elementary School. As shown on Map 3 of the Staff Report, the property was located adjacent to and across from three separate apartment buildings. A watercourse forms the northern boundary of the property and, to the north of this, is a vacant parcel of R-1 zoned land owned by the Municipality. Also north of this is a P-2 site occupied by the school. The remaining properties in the area consist of occupied single unit dwellings. The property itself was approximately 9,885 square feet in size with approximately 112' of frontage along Kaye Street.

Mr. Donovan showed slides to illustrate and advised that, in the opinion of Staff, the property met the general criteria outlined in Policy 104 and also that the site was generally consistent with the land uses in the surrounding area. The location of the second dwelling unit in the building did not pose any significant concern in terms of surrounding land uses and the density in the area. The size of the property was sufficient to accommodate an additional unit and there was sufficient area for on-site parking. No exterior changes to the building were proposed except for those that were outlined in conjunction with the slide presentation, and the removal of the garage. The building was capable of accommodating a second unit in the basement according to the Building Code.

Mr. Donovan stated that, therefore, Staff was recommending that the application for rezoning be approved.

QUESTIONS FROM COUNCIL

Deputy Warden Sutherland asked about landscaping of the property.

Mr. Donovan advised there was a concern expressed by Sackville Community Committee, through Planning Advisory Committee, that some provision be made for landscaping, painting of the building and general maintenance. Staff wrote a letter to the property owner and was advised that the following renovations were proposed: completely renovate the interior at both levels; install new

windows; remove the existing attached garage; repair and install siding; any repairs required to the roof as well as trim; landscaping of the lot in spring.

SPEAKERS IN FAVOUR

None

SPEAKERS IN OPPOSITION

None

DECISION OF COUNCIL

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

"THAT THE APPLICATION BY 500 VENTURES LIMITED, TO REZONE PROPERTY AT 169 KAYE STREET IN LOWER SACKVILLE FROM R-1 (SINGLE FAMILY DWELLING) ZONE TO R-2 (TWO UNIT DWELLING) ZONE IN ORDER TO CONVERT AN EXISTING SINGLE UNIT DWELLING TO A TWO UNIT DWELLING BE APPROVED BY MUNICIPAL COUNCIL".

MOTION CARRIED.

4. Other Business

Warden Lichter stated that in sympathy with the people of Pictou County with reference to the Westray Mine Disaster, he had requested that all flags in the Municipality be lowered half mast and asked for help from Councillors to notify Fire Departments and community centres which would be flying the Municipality's flag. This would be for the rest of the week.

Warden Lichter asked if there was any other form of support that Council could offer to the people of Pictou County or to the families of those who had been lost.

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

"THAT A LETTER OF SYMPATHY BE SENT TO PICTOU COUNTY MUNICIPALITY".

MOTION CARRIED.

ADJOURNMENT

Meeting adjourned at 9:00 p.m.

COMMITTEE OF THE WHOLE

May 14, 1992

PRESENT WERE: Warden Lichter
Councillor Meade
Councillor Rankin
Councillor Holland
Councillor Ball
Councillor Deveaux
Councillor Adams
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Peters
Councillor Merrigan
Councillor Giffin
Councillor MacDonald
Councillor Harvey
Deputy Warden Sutherland
Councillor Richards
Councillor Cooper

ALSO PRESENT: G. J. Kelly, Municipal Clerk
K. R. Meech, Chief Administrative Officer

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PLAN REVIEW PROCESS - JIM DONOVAN

Mr. Donovan presented an overview of the process. In the fall of 1987 council initiated the process for reviewing five municipal planning strategies that were prepared and adopted by council in 1982/82. Although these documents have been continuously revised over the years a number of items requiring review were identified at that time particularly those aimed at clarifying and improving the implementation of the existing policies in the planning strategies. Rather than proceeding with major policy shifts the emphasis was placed on upgrading the mapping, improving the format, responding to individual zoning requests and to focus more on matters of community interest such as sewer, water and storm drainage. Other services such as transportation, education, recreation and protection services were also focused on.

A major part of the process, when it was first adopted by council, was public input. For Eastern Passage/Cow Bay the public input was provided for by means of a household survey that was distributed door to door along with a newsprint flyer which provided a synopsis of the existing planning strategy. Residents were asked to respond and give their views on the existing land use policies and regulations in their area. In addition to this, there were a

number of public meetings, open house sessions and a number of regular and special meetings held by the Plan Review Committee which the public had opportunities to attend and make representation. The local planning committee, made up of local residents, was formed part way through the process in order to review the various discussion papers that were prepared in the initial two years of the process and to review draft documents once they were tabled with the Plan Review Committee.

He stated that the attachment to the agenda outlines a review of this public participation process. The Plan Review Committee also held a number of evening meetings throughout 1988, 1989 and 1990 to receive submissions from the public. These meetings were advertised to invite attendance from the public. The open house sessions near the end of the process were held in March. There were two days of open house. Some changes were made to the draft in response to suggestions made by the public at that time. In total the Plan Review Committee held a total of 78 meetings in which Eastern Passage/Cow Bay plan and by-law were discussed. These may have also included meetings which the other plans and by-laws for the other four plan areas were discussed as well. All these meetings were advertised in the local papers as well as the Mail Star and Chronicle Herald. They were also advertised on local radio stations, through church group newsletter and by the councillor.

Maureen Ryan stated that given the extent of the plan and by-law she will deal directly with the changes.

She stated, with regards to the Plan Area Profile, this section is intended to identify the plan area in context of the Halifax Dartmouth metropolitan region in terms of its significant features and demographic profile. It also identifies overall community concerns. One of the areas of change made to the regional context is found on page 4 where reference is made to the recent interest in the siting of the proposed regional sewage treatment plant on McNabs Island. This new statement basically states that such a proposal has prompted community concern over the possible effects such a facility may have on Eastern Passage and the future development of the island as a provincial park. The second area of change is found on pages 5 through 8 in order to incorporate a demographic profile which highlights the growth in population housing and commercial development since 1981. The third area of change reflects the community's concern over the ongoing operation of the sewage treatment plant in Eastern Passage and to reflect recent concerns over the distribution of sewage treatment capacity between the communities of Cole Harbour and Eastern Passage. This section was also changed to reflect the community's concern over the growth in two unit housing development in Eastern Passage since the adoption of the planning strategy in 1982.

The Environmental Health Services section contains policy direction

for the provision of central servicing, storm drainage management, solid waste disposal and on site servicing. With respect to central servicing, the planning strategy establishes a physical area boundary wherein all development must proceed on the basis of Municipal central services. One of the major changes made to this section of the planning strategy is that the former policy P2 has been deleted. This policy allowed the development of industry outside the serviceable area boundary on the basis of private central treatment systems. Given the past problems that the Municipality has encountered with malfunctioning private central treatment systems and the imposition of financial costs to assume the ongoing maintenance of these systems direction was provided to delete this policy. Industrial development can still occur outside the serviceable boundary in specifically designated areas but such development will now have to proceed on the basis of on site septic systems. The second area of change made to this section, found on page 17, reference is made efforts to establish a regional sewage treatment plant in order to improve water quality in Halifax harbour. Specifically policy E5 provides support for the involvement of Halifax County Municipality in a regional approach to sewage treatment.

With respect to storm drainage, the planning strategy has been revised to reflect the current events and procedures in Municipal Storm Water management. In 1982 council adopted, in principal, storm water design criteria for the provision of storm drainage systems within new subdivisions within that serviceable area boundary. In 1988 the provincial legislature passed the Halifax County Storm Water Drainage Act which enabled the county to pass a by-law with respect to storm drainage. The design criteria are to be incorporated into the by-law to require adequate storm drainage systems for both subdivisions and individual lots. Policy E8 provides direction to implement the storm water policy and design criteria as it becomes feasible through amendment to the subdivision by-law. Poor construction practices which result in siltation from uncontrolled runoff are also dealt with in the planning strategy. In this regard policy E10 requests the Nova Scotia Department of Transportation and Communications and the Department of Environment to enforce compliance with the Nova Scotia Environmental Construction Practice Specifications. Policy E11 is also a new policy which provides support for the preparation of storm drainage master plan in order to identify deficiencies and to prioritize improvements to the storm drainage system within this serviceable area boundary. In order to control storm drainage problems at the individual lot level Policy E11 provides support for the preparation of a lot grading by-law which will control grading to prevent flooding at that individual lot level. One of the final changes to the storm drainage management system is found in Policy E13. This policy provides support for the review of ways and means of using the storm drainage system to support recreational activities. Ponding areas, for example, could support skating activities during the winter.

Another area of change is found within Policy E15. This policy provides for the implementation of an increased setback requirement from the Cow Bay pond systems due to the environmental sensitivity of these water bodies. In this regard the land use by-law was amended to require a 100 foot setback of all structures from these systems. The standard 25 foot setback from all other watercourses has been maintained. Another area of change found in the Environmental Health Services section involves solid waste disposal. Policy E17 requests the Metropolitan Authority to investigate programs for reducing waste and for waste reclamation. Policy E18 lends support to the public participation process which is established in the process for the siting of the new regional landfill facility. Policy E19 encourages community based recycling efforts.

The plan area served by road, rail and sea transport and also accommodates the CFB Shearwater Airforce Base. With respect to rail service, Policy TR2 encourages CN and Transport Canada to maintain service to the industrial lands located at the North end of the community of Eastern Passage. There is a dead end section of track located east of the intersection of Caldwell Road and Hines Road which traverses vacant lands which are designated for future industrial development. Policy TR2 requests CN and Transport Canada to reestablish this service as it becomes required to service future industrial development. Another significant area of change found in this section involves classification of roads. Policy TR5 to TR8 establishes an urban road classification system which is intended to reflect the land service function which the road network provides throughout the plan area. This system contains four classes of road. There are four classes of roads within this system; an arterial which is primarily intended to provide commuter access on an inter regional basis, a major collector road which is primarily intended to provide access between communities, a minor collector road which is primarily intended to provide access to neighbourhoods and local roads are also part of the classification system. These roads do not provide thoroughfare and they are primarily intended to provide access to individual residences. This system is not intended to replace the Department of Transportation and Communications road classification system. The Municipal classification system is only intended to reflect in more detail the various land services which the plan area roads provide. The transportation section was also revised to encourage the Department of Transportation to prepare conceptual plans showing the approximate location of future arterial and collector roads. With respect to pedestrian services, Policy TR17 provides direction for development of a priority list for future improvements and for the provision of sidewalk and lighting services in the future.

The final areas of revision to the Transportation section involves the provision of public transit. Policies TR18 and TR19 encourages

the Metropolitan Authority to continue with existing level of service and to implement improvements as identified in the proposed Metro Transit Review Report of 1988.

In terms of recreation services, recreational land is affected through the dedication of parkland in compliance with the Municipality subdivision by-law. In order to provide direction for the future acquisition of parkland Policy REC3 provides direction for the preparation of recreation master plan. Policy REC2 also provides direction for the establishment of guidelines to identify the optimum amount and type of recreational services required to meet the needs of the communities of Eastern Passage and Cow Bay.

In terms of education the major area of revision there is the Policies ED1 through to ED7 encourage the Halifax County District School Board to consult with the Municipality prior to the construction or prior to the alteration of any school functions. These policies also encourage the school board to monitor population growth and to provide a timely response to educational needs. They also encourage the Board to continue applying standard site design criteria and to locate new schools adjacent to existing community facilities. Two of the final sections regarding the provision of socially based services pertain to the protection of emergency services and social housing and rehabilitation. With respect to protection and emergency services, the planning strategy is revised to encourage the continued provision of fire protection service and PS2 also provides direction for the investigation of ways to improve police and ambulance services within the plan area. With respect to social housing, planning strategy provides direction to investigate ways of providing non financial assistance to cooperative housing groups. This is found in Policy SH1. It also calls for the establishment of a Social Housing Committee to coordinate efforts and programs within the Municipality. This is found in Policy SH2.

One of the major land use designations is Urban Residential Area. This designation applies to the Southern half of Eastern Passage from the lands of the Sisters of Charity to the North and it encompasses the Eastern Passage community and also built up areas which are located in the Cow Bay community which are fronting on transportation routes. This designation is intended to provide support for the development of a solid residential community in the future. One of the major changes, that are encountered within the urban residential designation, is that all undeveloped R2 zoned lands are proposed to be down zoned to an R1 single unit dwelling zone. This is reflected in Policy UR2 and it is in response to community concerns over the proliferation of semi detached since 1982. All developed R2 lands, including those for which a completed tentative or final plan of subdivision has been submitted prior to the first notice of the intention to adopt this Municipal Planning Strategy, will have the R2 zoning maintained in order to

grandfather those commitments. Those particular developments will be permitted to proceed on basis of existing lot development standards.

Policy UR5, which is another area of change, also establishes a general objective to achieve a future housing stock consisting of 70% single unit dwellings and 30% of other forms of housing. Policy UR6 provides for the future development of auxiliary dwellings by rezoning. Two unit developments may also be facilitated in the future by rezoning in accordance with Policy UR7. Another area of significant change within the serviced portion of the urban residential designation involves future development of multiple unit dwellings. In this regard Policy UR8 provides for the consideration of multiple unit dwellings consisting of the maximum of 12 units by development agreement. Townhouse development, which have direct access to a public street, may also be considered by rezoning to a townhouse dwelling zone. Townhouse developments which have access to an internal private street intended to service that development only may be considered by development agreement. With respect to Mobile Home Development, the plan area has received the largest portion of mobile homes relative to the total housing stock of any suburban area within the Municipality. The plan area is serviced by three mobile home parks, Greenridge, Burchill and Ocean View Estates. Mobile homes can be located on individual lots in the unserviced areas of the urban residential designation as of right. One of the major changes regarding mobile home development in the urban residential designation apply specifically to the serviced area. Previously mobile homes located on individual lots could be considered, by rezoning to an R3 mobile home zone, within that serviced area. This zone has been maintained on existing mobile homes in that area however, the provisions for rezoning for any future development has been deleted.

Another area of significant change within all areas of the urban residential designation, as well as within the rural residential designation, is with respect to community facilities and local use development. Previously all types of institutional uses were permitted as a matter of right within all residential subdivisions which applied to these areas. Policy UR17 establishes a new community facility zone which permits schools, churches, senior citizens housing, fire and police stations, hospitals, public libraries, museums, galleries, open space uses and government offices. This zone may be applied in the future by rezoning within urban rural residential designations but they can no longer be permitted as a matter of right. Medical clinics and daycare facilities which provide services to four children or more may be considered by development agreement in these areas also. Fraternal Halls and community centres may also be considered by development agreement in accordance with Policy UR20. With respect to the provision of local commercial uses, these land use activities may now be considered by development agreement within the urban

residential designation in accordance with Policy UR21. These uses were previously permitted by rezoning. One of the final changes proposed for the Urban Residential and Rural Residential designations involves local service industries. Local service use, which includes special trades such as plumbing, heating, welding, carpentry, etc., were previously permitted to operate from a residential lot within the unserved portions of the urban residential designation only. The I-3 local service zone which accommodates these uses could be applied by rezoning in these areas.

Policy UR22 is proposed to be revised to allow council to consider permitting these uses by rezoning also within the rural residential designations. Although this activity is not permitted within the serviced area an exception is proposed for plumbing and heating operation of Archie Pye located at 122 Cow Bay Road. This property was previously used for commercial purposes prior to the adoption of the Municipal Planning Strategy in 1982. PRC therefore directed staff to apply the I-3 zone to this property at the request of Mr. Pye.

The Rural Residential designation applies to the backland areas and the base zone which applies to this area is R7, Rural Residential zone which previously permitted residential development on significantly larger lot sizes consisting of 80 thousand square feet. It is now proposed, at the direction of the community, that this minimum lot area be reduced to 20 thousand square feet. In terms of the commercial designation, there are very few changes proposed. One change involves the expansion of the commercial designation boundary to encompass the lands of Carl Gorham, Ralph Naugle and June Chuinard. The reason why PRC directed staff to change this was that these lands were encompassed by the community facility designation thus separating from the Urban Residential designation. The decision was made to extend this designation over these properties at the request of the owners.

The Industrial Mix designation applies to land located east of the intersection of Caldwell Road. This designation is intended to accommodate light industrial uses which are out of scale with the commercial designation and in order to prevent the impact on any abutting residential uses the I1 Light Industrial zone proposed to be revised to require separation distances and landscaping of these industrial uses in those situations. The Industrial designation applies to areas affected by heavy industrial development in North end of Eastern Passage is designed to facilitate the future development of that use. There are no significant changes proposed within this designation.

The Community Facility designation applies to the lands of Elkins Barracks and the land of the Sisters of Charity. This designation is intended to safeguard the lands for existing and future community use. The base zone for these lands include a wider range

of community facility uses and those which are permitted by rezoning within the Urban and Rural Residential designations. Specifically the P2 zone will permit the development of medical clinics, daycare facilities and fraternal halls and centres as a matter of right. One of the major changes proposed for this designation and all other designations where community facility uses are permitted is that crematoriums may be only considered by development agreement. The special area designation applies to environmentally and historically significant areas which should be protected from indiscriminate development. These lands include such areas as McNabs and Lawlors islands. There are not changes proposed to this designation which will effect the original policy intent. Reference is, however, made to the efforts of Canadian Park Service to prepare a management plan for the stabilization of Fort McNabs. This in no way changes the original intent of this designation. The plan amendment designation applies to the land holdings of the Federal Department of National Defense. It is recognized in this designation that the lands are beyond Municipal jurisdiction. The planning strategy, however, indicates that should these lands become surplus to DND needs council will immediately undertake an amendment to the strategy. There are no significant changes proposed to this designation which affects the original policy intent.

The major changes in the Land Use By-law are home businesses are now permitted within the residential zones which apply to the serviced lands within the Urban Residential designation. In the current By-law these zones will only permit home office uses. With community direction and at the request of Sonya Ackerley Boudreau the scope of home business uses is being widened provided that they do not exceed 300 square feet in size of the gross floor area. Daycares for not more than 14 children are no longer permitted within the residential zone which apply to the serviced land. Provision is made to grandfather these existing daycares which may have developed within these zones. The zones will only permit, in future, home child care services which will include the care of three children or less. An R1A Auxiliary dwelling unit zone had also been incorporated within the Land Use By-law which permits basement apartments which are clearly secondary to the main residential use of the property and which do not exclude 40 percent of gross floor area of the main structure. The R2 Two Unit Dwelling zone has been revised to require an increased minimum lot area, 7,000 square feet and an increased minimum frontage of 70 feet and an increased frontyard of 30 feet and an increased side and rear yard of 10 feet. There are provisions incorporated within the Municipal Planning Strategy to grandfather existing development on the basis of the current minimum lot area which is 6,000 square feet, minimum frontage 60 feet, minimum front yard 20 feet and minimum side or rear yard being 8 feet. The R3 Mobile dwelling and R6 Rural Residential zones have also been revised to require all mobile homes locating on individual lots to be anchored either to a permanent foundation or pylons. If these units become anchored

to pylons then the By-law specifies that skirting must be installed. The I1 Light Industrial and I2 General Industrial zones have also been revised to require screening and increased separation from any industrial uses which abut residential uses.

A P1 Community Facility zone has been established in order to implement the policy whereby these land use activities may be considered by rezoning within residential designation in the future.

QUESTIONS FROM COUNCIL

Warden Lichter asked, as far as the building setbacks from any watercourse, has it been established at 100 feet.

Maureen stated that the 100 foot setback is only for Cow Bay and Pond Systems because they are environmentally sensitive systems that have been identified. Everything else is 25 feet.

Warden Lichter asked if planning staff has checked with Municipal Affairs whether they will or will not support that kind of a move.

Maureen stated that, in the past, they have discussed how the strategy of requiring increased setbacks and Municipal Affairs have advised that in certain circumstances where good reason has been provided they would approve such increases.

Warden Lichter asked, with regards to road classifications, the road classifications do not coincide with Department of Transportation classifications and would she be able to tell council if the County has in its classification of local streets a larger number of local streets than what DOT has classified as local streets.

Maureen stated that the classifications are similar with respect to the identification of local roads. In terms of County application of the major and the minor collector roads, the Department of Transportation has one classification which was collector road and because from a land use perspective that type of road serves a different function. The designation of local roads in the County system is consistent with that of DOT.

Warden Lichter stated that he had asked the question in case the province will make certain moves whereby Halifax County will end up with more local street responsibility than what are on the books now as local streets.

He asked, with regards to a number of R2 zones that will disappear if those do not have tentative approval at the time of the announcement of Halifax County's intention to adopt the plan, these kinds of changes have caused difficulty in the past in terms of people not being aware of being downzoned and not being able to