

asked to supply their own water and she would ask that the recommendations from the Board of Health be seriously considered. She said she needs to have the county engineering department go out and try to find a viable solution to get potable water in the area. She said a recently drilled well, which was dug below 100 feet, shows an even higher level of arsenic concentration than the well it was supposed to replace. She asked if she should bring in a request for water to come in from the municipal water supply in Enfield or from the airport or Aerotech to supply these people with safe drinking water.

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

"THAT THE RECOMMENDATIONS FROM THE BOARD OF HEALTH BE SUPPORTED AND THAT COUNTY STAFF DO A REPORT ON SOME OPTIONS. FURTHER, BECAUSE OF THE URGENCY AND SERIOUSNESS OF THE MATTER, A COPY OF THE REPORT BE FORWARDED AND A LETTER BE WRITTEN TO MUNICIPAL AFFAIRS AND TO THE HONOURABLE KEN STREATCH, REQUESTING THEIR ASSISTANCE IN HAVING BOTTLED DRINKING WATER PROVIDED FOR THE RESIDENTS OF THE OLDHAM AREA"

MOTION CARRIED

Councillor Cooper asked Mr. Meech what was the status of the report which had been requested with respect to a policy providing potable water and determination for health hazards with regard to water supplies in the municipality.

Mr. Meech said that there was some difficulty obtaining certain information from one of the provincial agencies which they had requested to provide input. He said he would have a status report prepared for the next council session.

Councillor Cooper said this report demonstrates that there is no conclusive policy within the municipality to address this extreme concern and there have been a number of cases brought to the attention of the municipality where people are suffering from the same situation. He said these people have been requesting solutions for a number of years and certain ones are being addressed but not all. He said he feels it is mandatory that the needs of all the residents can be met with this type of concern.

BY-LAW OFFICERS - SPC METRO BRANCH

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

"THAT THE FOLLOWING PERSONS BE APPOINTED AS A BY-LAW ENFORCEMENT OFFICER FOR THE COUNTY OF HALIFAX:

- |   |   |
|---|---|
| 1) Thomas Barry Burke<br>260 Taranaki Drive | 2) Stephen Aubrey Goodwin<br>186 Rankin Drive |
|---|---|

COUNCIL SESSION

15

JANUARY 19, 1992

Cole Harbour, N.S.

Sackville, N.S.

3) Bruce Gregory Savage  
23 Farquharson Street  
Dartmouth, N.S.

4) Joanne Cindy Langer  
45 Regent Street  
Dartmouth, N.S.

Mayor Lichter said that since the SPC has a contract with Halifax County a request is made to Halifax County to have these people appointed.

Mr. Kelly said that Halifax County requests the Solicitor General's department to appoint all By-law Enforcement Officers. This would be a request from council to have these persons appointed by the Solicitor General's department.

Councillor Taylor asked who these people were and if they work in the county.

Mr. Kelly said they are new employees of SPC who are presently working in the county.

MOTION CARRIED

DND - COUNCILLOR BALL

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

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF NATIONAL DEFENCE ON THE AMOUNT OF GARBAGE THAT IS BEING DUMPED AT THE PUMP HOUSE ROAD AND FURTHER REQUEST THAT THEY TAKE SOME MEASURES A) TO CLEAN IT UP AND B) PUT SOME KIND OF MEASURE IN PLACE TO PREVENT THIS DUMPING IN FUTURE"

Councillor Ball said if they are not willing to do this then it should be referred to Unsightly Premises.

MOTION CARRIED

CONFLICT OF INTEREST - COUNCILLOR PETERS

Councillor Peters said that she has read the report supplied to her by the solicitor and it is her understanding if there is no gainful remuneration to a councillor then in actual fact a conflict does not exist.

DATE FOR MINOR VARIANCE APPEAL

It was moved by Councillor Harvey, seconded by Councillor Holland:

"THAT FEBRUARY 2, BE SET AS THE DATE FOR THE MINOR VARIANCE APPEAL NO. MVS-24-92-17"

MOTION CARRIED

RATIFICATION OF THE APPROVED DISTRICT CAPITAL GRANTS

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

"THAT COUNCIL RATIFY THE APPROVED DISTRICT CAPITAL GRANTS"

MOTION CARRIED

HALIFAX COUNTY MAINSTREET CO-ORDINATOR'S REPORT

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

"THAT THE REPORT BE RECEIVED"

MOTION CARRIED

URGENT AGENDA ITEMS

Signage - County Lakes - Councillor McInroy

Councillor McInroy made reference to the accidental death of the Cole Harbour youth. He said in light of the municipality's current position with regard to signage specifically "danger - thin ice" signs on lakes within its jurisdiction, he said he feels Halifax County should be reconsidering the procedures that are currently in place. He said Halifax County doesn't place signs anywhere on lakes within Halifax County.

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

"THAT COUNCIL AUTHORIZE STAFF TO PREPARE A REPORT WITH RECOMMENDATIONS TO EXECUTIVE COMMITTEE REGARDING THE POSTING OF "DANGER - THIN ICE" SIGNS ON SOME LAKES WITHIN HALIFAX COUNTY KNOWN TO BE REGULARLY AND FREQUENTLY USED BY SIGNIFICANT NUMBERS FOR WINTER RECREATION PURPOSES. FURTHER THE REPORT SHOULD HAVE REGARD TO GENERAL GUIDELINES WHICH SHOULD INCLUDE, BUT NOT BE LIMITED TO, 1) LOCATIONS WHERE THERE EXISTS THE PROVISION OF PUBLIC ACCESS AND KNOWN LOCATIONS OF SUCH LAKES WHICH DO NOT SAFELY FREEZE OVER THROUGHOUT THE WINTER AND 2) WHERE A LAKE OR A PORTION OF A LAKE HAS BEEN INCORPORATED BY WAY OF SITE DEVELOPMENT INTO AN ACTIVE RECREATION LOCATION"

Councillor McInroy said he had some discussion with representatives from the City of Dartmouth Recreation Department and the underlying view is the same as with Halifax County, basically you can't guarantee the safety or thickness of ice. He said all lakes within Halifax County's jurisdiction can't be covered. He said education



to the use of lakes for recreation is probably the key component. He said that if anything is provided it would be provided as a courtesy or public service to assist in alerting people to the dangers. He said he would like to see the educational aspect addressed as well by staff. He would like to be advised if there are currently any initiatives underway. He said Bissett Lake has been developed as a park and the lake has been included as part of an active recreational area. He said the City of Dartmouth uses the Public Access Criteria, known locations where a lake will never freeze to any safe extent. When they advise of ice thickness on a lake they advise where they tested. He said that efforts should be concentrated at known areas that are used for these type of recreational activities.

MOTION CARRIEDLegal Aid Funding - Councillor Boutilier

Councillor Boutilier said there has been information on Legal Aid Funding in Nova Scotia in the media recently. He said he recently became directly involved in a case within district #20. He said that under the freedom of rights it is understood that everyone is entitled to a fair trial in the law courts of Nova Scotia. He said he found out that if you find yourself in a position that you are not able to pay for your own legal advisor, you may find out there are two levels of justice for the province of Nova Scotia, one for those that can pay for their legal services and one for those that can't. Legal Aid funding in Nova Scotia has cut back on the number of cases contracted out to private lawyers. He said the way it works is that if two people qualify for legal aid funding only the one who applies first receives the legal aid.

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

"THAT COUNCIL WRITE TO THE ATTORNEY GENERAL AND ENCOURAGE HIM TO IMMEDIATELY SECURE ADDITIONAL FUNDING FOR NOVA SCOTIA LEGAL AID THROUGH ADDITIONAL FUNDS FROM THE PROVINCE OF NOVA SCOTIA AND/OR THE FEDERAL GOVERNMENT"

Councillor Smiley said one additional concern is a justice system in rural areas. In the past, she has brought people into the city at her own expense to see a legal aid lawyer. She said for a time they would allow the solicitor serving in the community to take on a legal aid case. That has been stopped and people are again having a lot of problems getting the legal advise they need and deserve. She asked if this type of concern could also be added to the letter.

MOTION CARRIEDFisheries - Councillor Ball



Councillor Ball said that he had visited the community of Sambro which is a fishing village in his district. He said since January 1, 1993 it is his understanding that there are no permits being issued to any of the fishing fleets in this area. He said on he had heard that permits were issued to vessels that were 45 feet or more. He said the fishermen in Sambro want some kind of a decision on a quota system, if there is going to be one and what it is, etc. so they can get on with their lives. He said at the present time boats are tied up and they are on 24 hour call. He said they don't know from one day to the next if they are going to be fishing at all.

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

"THAT COUNCIL SEND A LETTER TO THE MINISTER OF FISHERIES, WITH COPIES TO THE AREA MP'S, REQUESTING THE FEDERAL GOVERNMENT TO MAKE A DECISION THAT WOULD ALLOW THE FISHERMEN IN HALIFAX COUNTY TO GET ON WITH THEIR LIVES WHETHER IT IS A COMPENSATION PACKAGE OR A BONAFIDE QUOTA THAT ALLOWS THEM TO REALISTICALLY FISH"

MOTION CARRIED

ADDITION OF ITEMS TO FEBRUARY 2, 1993 COUNCIL SESSION

Water Policy - Councillor Cooper

Commissioner of Oaths - Councillor Peters

Department of Transportation - Councillor Adams

IN-CAMERA ITEM

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

"THAT COUNCIL MOVE IN-CAMERA"

MOTION CARRIED

Committee agreed to move out of camera

It was moved by Councillor Merrigan, seconded by Councillor Rankin:

"THAT COUNCIL ENDORSE THE RECOMMENDATION OF THE CAO TO AMEND THE PENSION PLAN FOR THE POSITION OF MUNICIPAL CLERK AS DETAILED IN THE PROPOSED AGREEMENT"

MOTION CARRIED

ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

PUBLIC HEARING

January 18, 1993

PRESENT WERE: Mayor Lichter  
Councillor Rankin  
Councillor Fralick  
Councillor Holland  
Councillor Ball  
Councillor Deveaux  
Councillor Bates  
Councillor Randall  
Councillor Smiley  
Councillor Peters  
Councillor Merrigan  
Councillor Giffin  
Councillor MacDonald  
Councillor Harvey  
Councillor Sutherland  
Deputy Mayor Richards  
Councillor McInroy  
Councillor Cooper

ALSO PRESENT: G. J. Kelly, Municipal Clerk  
Alan Dickson, Municipal Solicitor

=====  
The meeting was called to order at 7:00 p.m. with the Lord's Prayer. Mr. Kelly called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING SECRETARY"

MOTION CARRIED

ZA-SA-11-92 - AMENDMENTS TO THE SACKVILLE ZONING BY-LAW RE: NOTIFICATION PROCEDURES

Paul Morgan gave the staff presentation. He said the first application was with regards to notification procedures. He said the reason for the public hearing tonight is for a small portion of the Sackville Plan area. He said that all other plan areas within the municipality have already adopted the procedures as outlined in the staff report.

Councillor Rankin asked what the rationale was for the 250 feet and if there would be any adverse effect to the intent if it was changed to 200 feet.

Paul Morgan said that the 250 feet applies to the serviced areas and in unserviced areas it is 500 feet. The reason it was chosen was to ensure that property owners within a specified distance of the site would receive written notification. It would ensure that the people in the immediate area would be aware of the intended public hearings. He said 250 feet was chosen to allow for two or three houses down each way would be aware that council was considering an application on the property. If council wanted to consider changing the distance it could not be done tonight. The process would have to be started again.

Councillor Ball said council has passed the particular notification procedures for all other districts except Sackville. He said the 250 feet is in all notification boundary is in all plans now including By-law #24. He said the 250 feet is already in the Municipal Development Plan for other areas and in order for that to be changed along with this an amendment process would have to be done for the footage.

Councillor Holland asked what effect it would have if someone was missed. Would this leave grounds for an appeal on an application.

Mr. Dickson said it would give such a person grounds for an appeal.

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

Derek Redden, District #2, said he was not against the amendment. He said he had no idea that district #2 had adopted this policy. He said when he looked at the staff report it looked as though staff was blocking out a specific piece of property and precisely taking residents 250 feet from different angles to make sure that every possible property was picked off and was going to be notified. He said if someone is not notified and their can be proven to be of inches to being notified and were not notified, then it leave people in a position of appeal. He said the paper notifications were the only notification where people could find something that was going to affect them. He said he feels being notified is good but he feels abutting properties should be notified not properties 250 feet away or 500 feet away.

He said that when he had a development agreement it was up to him to notify his neighbours. He said if he was one of the people within a 250 feet radius he would want to call up his councillor to find out what it was about or someone in the planning staff to find out exactly what it is all about. He said he is not saying that everyone should not be notified but it seems to him that when a public hearing process is taking between three and four six months now, how much longer is it going to take if you are going to get 64



or more people involved that do not necessarily want to be involved. He said he has nothing against notifying people but just how many do you notify. He said the Halifax County District #2 Business Association do stand on the idea that at least the county should be letting the abutting property owners know if there is going to be a change in the property that is next to them. He said a provision for notification should be required for any properties that rezoned or dezoned. He said this notice should be made by ordinary mail to these people.

Mayor Lichter said the notification procedure actually refers to the intention of council to hold a public hearing so it is not a matter of notifying that it has happened it is a matter of notifying that council contemplates. He said that council has heard from the public that the advertising procedure is not sufficient, that there should be some notification coming from the county. This is what county council had addressed itself to or will if this particular amendment is passed.

Councillor Ball said that when this was discussed at Planning Advisory Committee there was a debate as to whether or not Halifax County would notify the affected property owners by ordinary or registered mail. He said the purpose of drawing the map was to show how much it would cost the municipality to send out registered mail to all the affected property owners that would have to be notified versus the cost of ordinary mail. He said that is what the map was included for. He said it was a decision of the Planning Advisory Committee that at least by notifying the affected area within 250 feet, the general neighbourhood that would be most closely affected by a rezoning would receive notification, in writing, that there was an intent for council to hold a public hearing to deal with the matter. This would afford an opportunity for people to speak for or against an application and they would not be able to come to council and suggest they were not notified. He said in discussions at PAC, a street became a boundary so that the person across the street theoretically could not be classified as a abutting property owner and to overcome that abutting property owner problem that radius was given to allow the people who lived across the street to be notified.

DECISION OF COUNCIL

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

"THAT THE APPLICATION BY THE MUNICIPALITY WITH REGARD TO NOTIFICATION TO PROPERTY OWNERS AS DESCRIBED IN APPENDIX "A" OF THE STAFF REPORT PRESENTED AT THE PUBLIC HEARING OF JANUARY 18, 1993 BE APPROVED"

MOTION CARRIED

REZONE LANDS OF THE ARMOYAN GROUP AT GOVERNOR'S GLEN IN TIMBERLEA,  
FROM R-A (SINGLE UNIT DWELLING) ZONE TO R-2 (TWO UNIT DWELLING)  
ZONE

Paul Morgan gave the staff report. He said the property involved is Governor's Glen Subdivision, Phase III. It is situated between the St. Margaret's Bay Road and Governor's Lake. He referred council to maps presented in the staff report. He said in 1989 the Armoyan Group made application to rezone 34 of the 64 lots within this phase to R-2. This request was granted. This year an application was made to rezone all the remaining lands except for three lots they wish to exclude from the rezoning application. There are some complications in that the 1989 application was based on a tentative plan of subdivision and this application was based on final plans in which there are minor changes to the alignment of the road and lot layout. As a result of this, the zoning that was approved in 1989 no longer conforms to the lot boundaries based on the final plan of subdivision.

He said that in dealing with this application, Armoyan requested additional lots. This part of the application was rejected by council without a public hearing. He said this decision has been appealed to the Public Utilities Review Board. He said tonight's hearing deals sole with realigning the R-2 zoning with lot boundaries. He said the staff recommendation was that those lots which had previously received R-2 zoning or sufficient R-2 zoning would have been eligible for a building permit maintaining the R-2 zoning and all other lots maintain the R-1 zoning. He said tonight's application is more a housekeeping matter of simply aligning zoning boundaries with revised lot boundaries.

Mayor Lichter asked Mr. Morgan to confirm that Appendix B, page 11, column 2 be confirmed as having R-2 zones based on final subdivision plan.

Mr. Morgan confirmed this was correct.

SPEAKERS IN FAVOUR

Mr. Philip Reid, Controller, Armoyan Group spoke in favour of the request of staff to realign the boundaries. He said it was not their intention to make application to the county to have the boundaries realigned as the building permits had been issued sufficient to meet the requirements. The alignment request was made by county staff in conjunction with their application for a rezoning. He said as the rezoning application has now passed through the various proceedings at the municipality level, they are content to pursue that avenue through the appeal board. The realignment is an issue so, at the direction of county staff, they are not opposing that issue.

Mr. Derrick Hann, member of the Homeowners Association for the

Governor's Glen Subdivision said they are in favour of this amendment. He said he had one question he would like to have an answer to which he wished recorded as a part of the public hearing record.

Mayor Lichter said he would allow the question and then decide if council would consider having it answered.

Mr. Hann said that in 1989 the initial plan to amend the zoning from all R-1, in this phase, to R-2 was rejected by council based on staff recommendations because there was not a second exit as part of this. The subsequent application included a tentative proposal for a second exit and his question is: Does the developer reaffirm that intention to provide a second exit for the area that is proposed for development now in Phase III?

Mayor Lichter said he feels the question is relevant and he will ask the representative of the Armoyan Group to answer the question after Mr. Hann has finished speaking. Council agreed to have the question answered.

Mr. Reid said that at this stage there is no second exit from Governor's Glen.

Mayor Lichter asked when it would be there.

Mr. Reid said Phase IV would incorporate a second exit because they would not be able to get approval through the subdivision process until an exit was produced.

Mayor Lichter asked when they would get to Phase IV.

Mr. Reid said that would depend on economic conditions. He said the development of Phase IV was dependant on the economic demand for the work that is involved in determining where that exit is and the usage of the land.

Mayor Lichter said he hoped the fact that council has heard the answer will act as leverage in this.

Mr. Reid said the development of the portion of Governor's Lake Drive in Phase III involved the connection of Power Terrace. He said Power Terrace was a linkage that was required to be brought into the subdivision plan the Department of Transportation. He said at the present time the existing Power Terrace portion which is the Southern most part of the plan is an existing street of St. Margaret's Bay Road. He said the street at this point in time is not capable of being expanded to make that linkage but there was a requirement that they make that connection.

Councillor Ball said that when this was discussed at PAC it was his understanding was that Phase IV could not be developed. The



Department of Transportation required a public access to St. Margaret's Bay Road and the streets that were outlined, including Power Terrace, did not meet the standard by DOT and the option available to the Armoian Group was land that they purchased to connect through Green Road. If and when they go to Phase IV that would be the route and the only route that was available to the Armoian Group. He said he feels the answer to the question is that if they wish to develop Phase IV they must provide a public access route and the only suitable one, according to DOT, is the proposed Green Road because the other ones are too narrow and the lands are unavailable.

DECISION OF COUNCIL

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

"THAT COUNCIL APPROVE APPENDIX "B" FOR LOT ADJUSTMENTS  
(SECOND COLUMN) FOR GOVERNOR'S GLEN SUBDIVISION IN  
TIMBERLEA"

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Merrigan:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

PUBLIC HEARING

January 25, 1993

PRESENT WERE: Mayor Lichter  
Councillor Meade  
Councillor Rankin  
Councillor Holland  
Councillor Ball  
Councillor Deveaux  
Councillor Bates  
Councillor Randall  
Councillor Smiley  
Councillor Taylor  
Councillor Brill  
Councillor Snow  
Councillor Giffin  
Councillor MacDonald  
Councillor Sutherland  
Deputy Mayor Richards

ALSO PRESENT: G. J. Kelly, Municipal Clerk  
K. R. Meech, Chief Administrative Officer  
Alan Dickson, Municipal Solicitor  
Ken Brother, Water Utility  
Paul Morgan, Planning and Development

=====  
The meeting was called to order at 7:00 p.m. with the Lord's Prayer. Mr. Kelly called roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Deputy Mayor Richards, seconded by Councillor Fralick:

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING SECRETARY"

MOTION CARRIED

1. FILE NO. RA-FEN-16-92-18 - APPLICATION BY ARMOYAN GROUP LIMITED TO REZONE LANDS ON THE SOUTH SIDE OF THE HAMMONDS PLAINS ROAD - PART I

Paul Morgan made the staff presentation. He advised that he would be making a single presentation for both rezoning applications before council this evening. He said that the reasons for doing so would become evident by the presentation. He said that application is being made by Armoyan Group Limited in regards to land holdings on the South side of the Hammonds Plains Road just

outside the Town of Bedford. He said the subdivision is referred to as Kingswood on the Lake. He said there are six phases with approximately 250 lots having received approval at this point with approximately 165 permits having been issued. It is a single unit dwelling subdivision. He said a portion of this property has previously been subject to rezoning application. He outlined the properties owned by Armoyan. He said Armoyan Group has requested that all those portions of their holdings which are currently zoned MR-1 (mixed resource) be rezoned to R-1 (single unit dwelling) under the Land Use By-law for planning districts 18 & 19. He said this was initially one application which was subsequently subdivided into two applications, one regarding Kingswood West and the other regarding three blocks of land to the south of Long Lake.

He said, at the request of staff, an application has been made to rezone the portions between Schmidt Lake and the highway of Kingswood West which are currently zoned mixed use. They were requested to be R-1. He said the Armoyan Group is developing lands with single unit dwellings on septic systems with central water supply obtained from the Pockwock water system. He said the purpose of these applications, particularly with regard to the mixed resource MR-1 to R-1 zone, is to allow for lesser lot sizes. The mixed resource zone requires minimum lot size of 80,000 square feet and the R-1 zone requires a minimum lot size of 20,000 square feet. This is subject to the approval of the Department of Health. He said it is unlikely that these lots would be developed at the minimum lot size. In the first six phases of Kingswood on the Lake the average lot size was roughly 50,000 square feet.

He said these lands fall within two designations. Between the Hammonds Plains Road up to McQuade Lake and Schmidt Lake all the lands have been designated mixed use under the planning strategy and this designation follows the Hammonds Plains Road on both sides. The intent of this designation is to allow for a semi rural environment, allows for single unit dwellings, small scale businesses and agricultural uses. He said with regards to residential development, the designation encourages and does not try to prohibit the more suburban style residential subdivision that the Armoyan Group is proposing. He said the plan said let the market places determine where these type of subdivisions would be located. He said the R-1 zoning recognizes where these type subdivisions go in people will want a more restrictive zoning to ensure that there will not be commercial businesses on their neighbours property. He said there is an expectation that it would be exclusively a residential environment.

He said in the backland designations a higher priority is given to maintaining these lands for resource uses and it also refers to the fact that these lands have been highly valued by the community as recreational lands. He said in order to discourage residential development, or at least maintain a character commensurate with a resource designation, it put the minimum lot size of 80,000 square feet on any lots intended for single unit dwellings. He said under Policy 47 there are provisions for allowing for development on



smaller lot sizes by rezoning to R-1. He said staff don't think that the plan ever intended that a subdivision of this scale or magnitude was ever intended within the resource designation. He said there is the potential for 350 to 400 lots on these lands. He said the plan being shown was a conceptual plan and the lots sizes would be determined under the Department of Health regulations for on site sewage disposal systems. On this ground alone, he felt that the rezoning application was inconsistent with the policies contained within the planning strategy.

He said another issue was the adequacy of the road networks. He said initially there was concern from staff that there was not going to be adequate access roads to the main highway. He said at the time the staff report was drafted, the only way to the main highway was through the local street being developed through Kingswood West. He said it is staff's opinion that this would be inadequate and traffic would be very heavy on the lower part of the subdivision. He said the Department of Transportation feels there should be at least two access roads to this subdivision. He said, subsequent to the staff report, Armoyn Group has acquired the abutting lands to their properties. He said under the policy regarding rezoning and the resource designation it also talks about the impact on the collector roads. He said that the Department of Transportation found that the rate and amount of development going in here may have effects on Hammonds Plains Road as you go into Bedford. He said it may in fact, at some point in the future, necessitate upgrading of the highway.

He said the policy also asks to address the adequacy of community facilities. One important aspect is with regards to Halifax County - Bedford District School Board comments. He said concerns were expressed about the impact on Hammonds Plains Elementary School. He said it has been operating at over capacity in the past and recently funding was obtained from the province to enlarge the school. He said Dr. Morrison has expressed concerns, that even with the enlargement, the rate and amount of development occurring here could again result in overcrowding.

He said staff has also identified the issue of central water services. He said the pipes through the initial phases are not of a sufficient size to meet the service specifications with regard to fire flow requirements under the IAO ( Insurance Advisory Organization). The minimum fire flow requirements is 800 imperial gallons per minute. The Armoyn Group has requested that the specifications be amended to have it lowered to 600 imperial gallons per minute. He said this request has been made to the Urban Services committee. He said engineering staff are not in favour of reducing the standard. He said there are outstanding matters with regard to services. He said another issue that has to be addressed is with the extension of central water services into unserved areas. He said one of the difficulties is that there is no particular policy dealing with this. He said without a policy

as to where the services are going to be extended it is very difficult to engineer your water mains. He said it has been suggested to the Urban Services Committee that before going any further on this a policy be established. He said this could result in either a master plan or, under Halifax County's normal practices through planning documents, a serviceable boundary such as a secondary serviceable boundary for water services only.

He said, without this type of policy, there is a danger of the Municipality getting into a position where it will have to spend money upgrading pipes to further extend the services as more demands are placed further out. There is also the risk that there won't be enough water to go around. He said there are numerous areas where residents are requesting services or there are problems with well water such that the requests are being made to extend central services. He said part of the difficulty here is who is going to get the water and how is it going to be paid for. With this application, these issues raise questions as to the adequacy of the services and whether this sub division is not in fact premature. He said that staff is recommending that only the phases of Kingswood West, up to the point where there is tentative subdivision plan finished, be approved. He said for the remaining 525 acres, staff is suggesting that it would be premature at this point to rezone and some reconsideration of the servicing policies are needed before this goes ahead.

Mayor Lichter asked Mr. Morgan to confirm that he was recommending that lot 501 to 568 be the lots rezoned.

Mr. Morgan said this was the staff recommendation.

Councillor Ball asked if there was a serviceable boundary for water.

Mr. Morgan said there was not.

Councillor Ball asked if a service is extended to a lot can there be a reduced lot size. He asked if Mr. Morgan knew if such a particular thing as this existed in this plan whereby if water was extended to Kingswood West could that therefore reduce the lot size. He said one of the major concerns, from the Health Department, is that in locating a septic field there is a possibility it can have an impact on the potable water. He said if the potential for a well is eliminated then you will not have the impact on that well from an on site sewage system. He asked if Mr. Morgan if such a mechanism was in that plan whereby they could reduce the lot size.

Mr. Morgan said if council chose to rezone these lands to R-1 the minimum lot size required under the Land Use By-law is 20,000 square feet. It could not go any less than that.



Councillor Ball said if this is passed and if it is conceivable that the Department of Health could buy into a 20,000 square foot lot the actual size of that subdivision could impact almost twice the size. He said there is the tendency to extend a service but not both services.

Ken Brothers said on the basis of full development in those areas it would appear that the demand for water is in excess of the existing purchase capacity with the Halifax Water Commission for the Pockwock system. If council decided to fully allocate water for a fully developed area this is one scenario that could be used. He said he feels that Halifax County should establish a water serviceable area to promote the adequate design of water systems and allocate a reasonable supply for development that will reasonably take place within the 2011 time frame. He said 3 million gallons per day an adequate supply from the point of view of the development that will ultimately take place in the time frame.

Councillor Ball said the projections made in Mr. Brothers report take into account extension of water services to areas that were not infilling such as this particular subdivision.

Mr. Brothers said at the time they did include the Kingswood area into the calculations for development however, they were only doing this as a vehicle for discussion.

Councillor Ball asked is this proposal anywhere near the Blue Mountain quarry.

Mr. Morgan said it is their understanding that the proposed quarry has been abandoned.

Councillor Ball asked if the proposed 600 gallons that is being proposed in the other current phase where the regulation is 800 gallons per minute been resolved.

Mr. Morgan said the Urban Services Committee has not resolved this.

Councillor Ball said there are a lot of other factors, other than the application, that has a lot of bearing on what is going to take place. He said he feels there are some matters that are not resolved that can impact on this particular development based on decisions of other parts of this municipality.

Councillor Deveaux said he was under the impression that if this project was approved the water was already there and could be tapped into.

Mr. Morgan said the first phase was developed with central water system.



Councillor Deveaux asked if this application was approved could Mr. Armoyan automatically tap into the water system.

Mr. Morgan said the issue of the standards would still have to be resolved. He said in discussions with the Engineering department it is his understanding that unless the pipes are up-sized the Armoyan Group will not be able to satisfy the current standards.

Councillor Deveaux asked if this was approved it would no necessarily mean that the water will be provided.

Mr. Morgan said this was correct.

Councillor Sutherland asked what the lot sizes were in Phase I.

Mr. Morgan said they were approximately 50,000 sq. ft. He said there were some around the lakes that were higher.

Councillor Taylor asked if the proposal goes ahead would the proposed three access roads be sufficient.

Mr. Morgan said it would be a big improvement. He said at the time the report was written there was no secured access on either side of the lake.

Councillor Giffin said tonight does not mean that Armoyan gets approval for the 800 to 600 gallons per minute and has no bearing on what is being done tonight. He said there are now three roads and Department of Highways only wanted two roads.

Councillor Randall asked why there was no proposed open space dedication in this Phase of Kingswood West.

Mr. Morgan said that under the provisions of the Municipality's Subdivision By-law, the developer can enter into an agreement to provide parkland dedication in a later phase. He is not sure of the exact circumstances. He said that tentative approval still remains outstanding. He said it could be that the development officer will insist that parkland be provided in this phase or in a later phase or, alternatively, that cash in lieu be provided.

Councillor Brill asked if this was approved would Halifax County be open to an appeal process.

Mr. Morgan said any decision council makes on a rezoning or development agreement is open to appeal. He said there are two main concerns - whether it was ever the intention that a subdivision of this magnitude in the resource designation and another issue is with regard to the extension of water services without a master plan or policies and priorities for the municipality.

Councillor Holland asked if there was any indication when the serviceable boundary will be established.

Councillor Ball said that depends on council's priorities and that it wants to establish as a boundary.

Mayor Lichter said he would ask that the public hearing be in two portions since the recommendation of staff is in two portions. The first public hearing on which speakers are being requested first to speak would be for lots 501 - 568 and the second public hearing would deal with the remainder of the application.

SPEAKERS IN FAVOUR OF THE APPLICATION FOR LOTS 501 - 568 TO BE REZONED

Mr. Steven Wallace spoke in favour of the application. He said the application deals with the first phase of Kingswood West extending from the Hammonds Plains Road approximately back to Mortons Lake. Two thirds of this project is presently in the MU-1 which allows development of lots by right to a size based on Department of Health criteria. He said approximately 23 lots are affected by this rezoning application allowing them to be based on the Department of Health criteria as opposed to the 80,000 sq. ft. minimum size.

He said they have done calculations to determine the requirements for the extent of the water system in this area. He said those calculations indicate that the water system can be extended and provide full fire protection in accordance with present Halifax County design standards, that being the 800 gallon as opposed to the 600 gallons. He said should it come to pass that a water system is not installed on that project, although they have received correspondence from the Engineering department indicating that will not be a problem, the developer can elect to install on site wells as opposed to a water system.

The purpose of tonight's hearing is with regards to rezoning only not to the provision or non provision of a water supply system. He said the first rezoning application will allow them to develop approximately one third of that phase with lots based on the Department of Health criteria as opposed to the 80,000 sq. ft. minimum. He said he would encourage council to vote in favour of the application.

QUESTIONS FROM COUNCIL

Councillor Bates how many lots needed to be rezoned

Mr. Wallace said there are 68 lots total with 23 presently being in the MR-1 zone and if a favourable decision is rendered they would be in the R-1 zone. He said 45 of them are in the MU-1 zone which allows for 20,000 sq. ft. lot size.

Councillor Bates asked what the problem was with pipe sizing.

Mr. Wallace said there is no problem. They can provide a water supply to that to the present standards of Halifax County Engineering Department with regards to fire flow. He said the Engineering department have indicated that fire protection can be provided in accordance with the present standards.

Deputy Mayor Richards asked where the water problems are.

Mr. Wallace said he would like to address this as part of the second application.

Deputy Mayor Richards said his concern is that council is confronted with this issue on many situations, make one decision which may have great bearing on future decisions.

Mr. Wallace said he is aware that the Armoyan Group made a presentation to the Urban Services Committee with regards to the water system both in terms of extension for capacity and fire flow criteria to have the present standards amended. He said that whole process is independent of the rezoning application. If an R-1 designation is provided these lots can be developed with on site wells as opposed to a municipal water supply system. He said if the zoning is passed they are in a position to "by right" to develop in accordance with other projects. He said he does not interpret a positive vote by council to be a blessing or denial of the water system, it is an independent situation.

Mr. George Armoyan, President, Armoyan Group spoke in favour of the application. He said there are two companies involved in this, the first application is owned by Armoyan Properties and the second is the Armoyan Group. He said there are two issues - access and water. He said they have addressed the access issue by the purchase of two parcels of land, one from Mr. Havill and one from Mrs. Pender. This would enable them to provide the required access. The second issue is water. He said they can develop this land on wells and what is being approved at tonight's meeting should have nothing to do with water. He said the water depends on the size of a house. If a house is over 2400 sq. ft. then you require 800 gallons per minute but if it is below 2400 sq. ft. then it requires 600 gallons per minute. He said they have made a request to amend some of the standards but the Urban Services Committee can turn them down or can approve it. He said this is irrelevant because if this application is approved they have to satisfy the engineering department's requirement to obtain water. He said if they can't satisfy the requirements they will do it on wells. He said the property owned by the Eisenhauer's and the recent piece purchased from Mrs. Pender both extend into the resource designation and are zoned MU-1 and R-1. He said no open space is shown because they have given open space in previous sections but they will continue to give whatever Halifax County



requirements are for open space.

SPEAKERS IN OPPOSITION

Aileen McCormick asked whether Mr. Armoyan actually owned the piece of land belonging to Mrs. Pender.

Mayor Lichter said that Mr. Armoyan had indicated that they have purchased the property.

Mr. Morgan said staff has been provided with a purchase and sales agreement between Mr. Armoyan and Mrs. Pender. He said the solicitors have reviewed it and it appears to be a valid agreement.

Mrs. McCormick said the road would be a road only in theory as the purchase of the land hadn't closed.

Mayor Lichter said his understanding is that the access road would be required if there is the ability to develop these lands and this is the second application.

Mrs. McCormick asked if there were any plans to widen the Hammonds Plains Road as she has concerns with traffic flows.

Mayor Lichter replied not to his knowledge.

Mrs. McCormick asked how much open space had been given by the Armoyan Group.

Mayor Lichter said the development officer does not give final endorsement to any developer on lot approvals until after the open space issue is addressed. He said in some instances the public demands that these lands be done away with some how because they did not want a tot lot or some other facility of that type to be next to them.

DECISION OF COUNCIL

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

"THAT THE APPLICATION BY ARMOYAN GROUP LTD. TO REZONE LOTS 501 TO 568 AS SHOWN ON A TENTATIVE SUBDIVISION PLAN OF KINGSWOOD WEST (PHASE I) FROM MU-1 (MIXED USE 1) ZONE AND MR-1 (MIXED RESOURCE) ZONE TO R-1 (SINGLE UNIT DWELLING) ZONE, BE APPROVED"

MOTION CARRIED

1. FILE NO. RA-FEN-16-92-18 - APPLICATION BY ARMOYAN GROUP LIMITED TO REZONE LANDS ON THE SOUTH SIDE OF THE HAMMONDS PLAINS ROAD - PART II

SPEAKERS IN FAVOUR

Mr. George Armoian said the area is Kingswood West. He said he feels it should be approved as the land will be developed based on well and septic or Pockwock water depending on whether the standards or requirements of the county of Halifax engineering department can be met. He said the Department of Health minimum requirement for lot size is 30,000 sq. ft. He said access is not an issue nor is water. He said this would create jobs. He said he urges council to vote in favour of the second motion. He said with regards to Mrs. McCormick's concern about the land, there is a purchase and sale agreement in place. He said the land is not in their name yet but will be on Friday which is the closing date. He said he had received a letter of confirmation from Cox Downie.

QUESTIONS FROM COUNCIL

Councillor Rankin said he is not against the development. He said he does not see water being a red herring. He said councillors are concerned about the implications to the municipal taxpayers. He said it is appropriate to talk about water because the adequacy of services is a policy criteria for any amendment. He made reference to Mr. Armoian's letter which said that should it not be possible to service the lands with central water the lots would utilize on site wells for water supply. He said this does not give him a lot of comfort because in the past with water projects there is municipal involvement from the total county. He said there are financial implications. He said it is not assured at this time if central water and sewer will be avoided. He said for this reason he does not see the water issue as a red herring.

Mr. Armoian said he is in the business of making money and he likes to do good developments otherwise he would not survive. He said he does not want anything from the county of Halifax and he does not want any undue responsibility to taxpayers. He said he does not want to be subsidized from the county of Halifax. He said when you receive county water there are certain criteria which has to be met. To meet these criteria you have to have certain pipe sizes as well as distance of fire hydrants, etc. He said what he has requested from council, through the Urban Services Committee, is to bypass some of these standards. He said if the Urban Services Committee does not approve his standards, he said he is willing to cover all his costs to bring the water services to his site to the standards of Halifax County Engineering Department. He said if he could not meet this he would like to have the option to develop his land based on wells. He said he is presently allowed to hook up to Pockwock as long as he meets certain requirements and he said he is willing to live by the rules. He said what he requested from the Urban Services Committee is something to his benefit if he can get it approved. He said if he doesn't he still has to satisfy Halifax County's requirements. He said there is no burden on him because all he has to do to create 800 gallons per minute is to loop from

the corner of Kearney Lake Road and Hammonds Plains Road to the entrance of his subdivision. He said if he can't find any other solutions he will do this. He said he does not feel it should be the taxpayers responsibility to subsidize developers.

Councillor Brill asked Mr. Armoyan if he agreed that developments should take place under the MPS.

Mr. Armoyan said he disagrees with that point. He said he had made application and been informed that everything was okay except for two outstanding issues which had to be resolved to satisfy the policy criteria - access and water pressure. He said he satisfied both criteria and he is wondering why he does not have a positive staff recommendation.

Mayor Lichter said he has been in the planning area, as a councillor, for a long period of time and it is his understanding that what was called the Municipal Board exists to interpret the MPS. He said at the time of the creation of the MPS there have been discussions about terms and phrases, etc. and it still ended up having to be interpreted by someone who did not write the document. He said staff is saying there would be a requirement for an amendment but the Municipal Board may or may not agree with that. He said that is their function.

Councillor Deveaux asked if there were the same number of lots to be approved on this second application as was approved on the first portion.

Mr. Armoyan said there were.

Councillor Deveaux asked if this second portion was approved would it be dealt with by developing with wells and septic systems if it did not get water.

Mr. Armoyan he is willing to spend the money to get the water. He said by council approving Mr. Eisenhower and Mrs. Pender's land council has set a precedent.

Councillor Holland asked if any consideration had been given to schools.

Mr. Armoyan said they have checked and there is presently enough capacity in the schools for the next few phases because of the approval of an expansion to the school.

Councillor Giffin said the schools are presently using mobiles but they have been promised six classroom, a library and an additional room. He said Kingswood West will not affect this at all.

Mr. Armoyan said he has the right to develop the land on the basis of 80,000 sq. ft. which means the land can be developed without



the rezoning.

Councillor Taylor asked Mr. Armojan to identify, on the plan provided, the 150 lots which have been sold. He asked what land Mr. Armojan had left that can be developed under the lot size that he requires.

Mr. Armojan said there are very few. Some on Mrs. Pender's land.

Steven Wallace spoke in favour of the application. He said there is concern with regards to consistency with the Municipal Planning Strategy and he said there are clauses within the strategy which would support this application and the following one. He quoted from the MPS clauses which support this expansion.

Councillor Sutherland asked if Mr. Wallace saw any connection between any approvals given for Kingswood West and the other three parcels of land. He asked if he saw them as a total package or did he see Kingswood West as a separate issue to deal with.

Mr. Wallace said Kingswood West is a "stand alone" project with regards to the rezoning. He said they would like to have it rezone so that it can carry on as its own subdivision. He said that as it has a common boundary with the other rezoning there is some integration of the two applications. He said it is their desire to have them considered as two applications.

Mr. George Hume said he owns a piece of property adjacent to Mr. Armojan's proposal. He said it runs South towards Ash Lake and Ragged Lake. He said he is concerned about the size of the lots. He said if Mr. Armojan does not develop this land, someone else will. He said a water supply can be made from one of the lakes. He said the accessibility can be accomplished by building a road. He suggested that a road and a water line could be build beside the highway.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

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

"THAT THE APPLICATION BY ARMOYAN GROUP LTD. TO REZONE THE REMAINING LAND, AS SHOWN ON THE SAME PLAN OF SUBDIVISION, FROM MR-1 (MIXED RESOURCE) ZONE TO R-1 (SINGLE UNIT DWELLING) ZONE, BE APPROVED"

Deputy Mayor Richards said there are still some unanswered questions in his mind. He said even though Mr. Armojan said it has nothing to do with water he feels it has a great deal to do with

water. He said the development to date has been developed because it does have central water. He said according to the staff report and a report presented at Urban Services, Halifax County does not have a handle on where we are going with new development and water servicing areas. He said if this is approved it will give Mr. Armoyan the right to develop either with on site services or with central systems if he can tie the thing together. He said he feels there are still some areas that needs to be resolved. He said the Urban Services report gave him some concerns and he feels that council should take the time to get the staff reports together correctly to see where Halifax County is going with developments that will be in front of council asking for further development of water systems when Halifax County is not sure of the best approach.

He said that Mr. Brothers had indicated when making the report to the Urban Services Committee that time has to be taken to plan this issue out. He said not a week later, council is being asked to make a decision that affects that planning process and the right decisions have not been made. He said he feels this is a dangerous precedent to be going ahead with at this point in time. He said he would prefer to see the conclusion of Mr. Brother's report before going ahead. He said he feels there are too many unknowns and until Halifax County knows what kind of proposal Mr. Armoyan is asking for, whether on site and/or developed water services, before approving this particular development.

Mayor Lichter said that Mr. Armoyan has the prerogative to develop with wells and septic tanks.

Deputy Mayor Richards said many of these developments come back down the road and say they have a problem with bad wells. He said it is more costly to deal with after the fact than before. He said he feels it would be cautious and prudent on the part of Halifax County to take the cautious approach in this particular development and start looking down the road.

Councillor Bates said Deputy Mayor Richards is talking about unknowns but one of the knowns is that there is economic difficulty because of the recession and here is a developer that wants to put some people to work. He said he feels this portion should be given favourable consideration and debate the remaining section when the time comes. He said he is in favour of giving the approval for this particular section.

Councillor Deveaux said he feels it would be foolhardy to hold up this or any future developments because of something that may or may not happen. He said if Mr. Armoyan had come in and said his development was based on whether or not he could get water it would be looking at a different situation. He said this is not the case as Mr. Armoyan has stated that he is willing to go ahead and develop without a water system. He said it does not make sense to him to hold up a project of this type because of the fact that

maybe six months or two years down the road council may make a decision as to who gets water.

MOTION CARRIED

2. APPLICATION BY ARMOYAN GROUP LTD. AND ARMOYAN PROPERTIES TO REZONE APPROXIMATELY 475 ACRES OF LANDS, REPRESENTING THE REMAINDER OF KINGSWOOD ON THE LAKE DEVELOPMENT (FILE NO. RA-FEN-09-92-18)

SPEAKERS IN FAVOUR

Mr. Steven Wallace said this application is to allow them to go by size based on the Department of Health. He said it is expected that the 50,000 sq. ft. average will most likely continue. He said the developer would like to install a water system and will work with the county to try and obtain this. He said that the issues are independent of each other and therefore worthy of two individual decisions by council. He said the only issue here tonight is the lot size.

He said staff are not aware of any existing or planned resource activity in the area. The only activity in the area is residential development. The plan amendment will effect the same change with regards to the lot size. He said it has been their experience that in order to have school resources allocated to an area the demand must be created. He said the subdivision presently has three entrances which will adequately serve a project of this magnitude. All potential upgrading of the Hammonds Plains Road that was identified by Mr. Morgan is expected to be in the Town of Bedford as expressed by a letter from the Department of Transportation. He said it is not expected that the burden of this upgrading would reside with Halifax County.

He said there has been open space given in the previous phases of Kingswood, one at the entrance, one east of McQuade Lake, and a large lot on Long Lake was given in Phase V. He said they intend to continue to comply with parkland dedications in the future phases of Kingswood. He said they work with county staff in selecting areas. He said there are clauses in the Planning Strategy which are in support of the expansion of development into the resource designation.

QUESTIONS FROM COUNCIL

Councillor Holland asked Mr. Wallace to identify the three entrances to the development.

Mr. Wallace said the existing one is Kingswood Drive, the second one would be through Uplands Park and the third one will be the Kingswood West. He said they will all ultimately come together so that all residents will have more than one way to access the project.



Councillor Holland asked how much land between Kingswood on the Lakes and Kingswood West will be owned by Armoyan.

Mr. Wallace outlined the land on the map and plan of subdivision.

Councillor MacDonald asked how many lots would be in the piece of property being presently looked at.

Mr. Wallace said the plan shows approximately 325 lots at 50,000 sq. ft.

Councillor MacDonald asked which portion would be developed first.

Mr. Wallace said the marketing strategy for these projects is to create two different types of pricing to address two different market levels. Both projects will proceed on a phase by phase basis in a concurrent fashion.

Councillor MacDonald asked what was the estimated time for the whole development.

Mr. Wallace said if a strong market persists it would be four or five years.

Councillor MacDonald how many lots were developed in 1992.

Mr. Wallace said approximately 120 lots.

Mr. George Armoyan spoke in favour of the application. He said Mrs. Pender's property is 67.8 acres and Mr. Eisenhauers is 250 acres which are zoned MU-1. He said this allows for different developments other than just single dwelling. He said with regards to the water issue he does not have to ask council's permission. He just has to go to the Engineering department and ask if it meets the requirements and regulations then they will either say yes or no. He said he has to meet standards and capacity requirements to develop with water but otherwise they go with the alternatives. He said he believes all the concerns of staff have been addressed. He said all he is asking for is single family dwellings.

Councillor Rankin said the main trunk line has impacts on the municipal burden. He asked Mr. Brothers in his opinion does this have implications on the main trunking relative to this project in the short term or long term.

Mayor Lichter said this only has financial implications if the municipality approves to have water services provided.

Mr. Brothers said the implications in the long term will have an impact on the major infrastructure, transmission mains and reservoirs depending on the speed of development. The short term, dealing in small phases, will not.

SPEAKERS IN OPPOSITION

No speakers in opposition.

Mayor Lichter indicated that correspondence had been received with respect to the application. He said that one of the letters was from Wallace MacDonald Lively, Ltd., dated January 25, 1993 that is in favour of the application. He also made reference to a letter dated January 14, 1993 from the same firm in favour of the application. He said a package from Clayton Developments has been received dated January 25, 1993 in opposition to the application.

DECISION OF COUNCIL

Councillor Giffin said the marketplace is determining where people want to live and he feels people should have that right. He said that whole area should and can become a residential area.

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

"THAT THE APPLICATION BY ARMOYAN GROUP LTD. AND ARMOYAN PROPERTIES TO REZONE APPROXIMATELY 475 ACRES OF LANDS, REPRESENTING THE REMAINDER OF KINGSWOOD ON THE LAKE DEVELOPMENT (FILE NO. RA-FEN-09-92-18), BE APPROVED"

Councillor Taylor said he would be supporting the motion.

Councillor Sutherland said that tonight approval has been given to an additional 65 lots in Phase I and approximately 150 in Phase II. He said this is a major project. He said he finds himself in a position whereby he feels that water will have to be addressed some time in the future. He said he feels that Halifax County is moving too fast with a development and council is being asked to approve a large development without going into too much detail.

Mr. Meech said he would like to make sure council is clear on the staff position. He said he believes that staff's position is that because of the potential scale and size of this development, in particular in regard to the piece being talked about, that a simple rezoning does not seem to be consistent with the plan and a review of the planning policies. He said he has heard questions with regards to different impacts which points out the need to have more time to examine, not just these particular lands, what council will be looking at five or ten years down the road. He said not just the water needs to be examined. He said in dealing with this issue with the planning staff, as it relates to the existing planning strategies, it is well beyond what was contemplated in terms of rezoning. He said the section of the planning strategy that was referred to by Mr. Wallace in his opinion does not contemplate a more comprehensive examination or review of large scale developments. He said it seems to him what is pointed out is that

while there is some contemplation for residential development it still leaves you with the thought that in fact there should be a more comprehensive review done. He said he wanted to make it clear that from staff's point of view it is not necessarily to suggest that the development for this area should be turned down but stop and take a comprehensive examination of this particular area before rezoning on this large parcel of land.

It was moved by Councillor Brill,

"THAT THIS BE DEFERRED"

Motion lost as there was no seconder for the motion.

Councillor Bates asked Mr. Meech what he meant by giving it more comprehensive consideration.

Mr. Meech said it is implied under the planning strategies that when council is asked to consider a plan policy amendment, it is inherent in that process that you do a much more extensive examination not only of what is there now on the short term but in fact examine what the broader implications may be down the road in terms of services.

MOTION DEFEATED

4 IN FAVOUR

12 AGAINST

ADJOURNMENT

It was moved by Councillor Meade, seconded by Councillor Taylor:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED



MINUTES & REPORTS  
OF THE  
SECOND YEAR MEETINGS  
OF THE  
FORTY-FOURTH COUNCIL  
OF  
HALIFAX COUNTY MUNICIPALITY  
FEBRUARY COUNCIL SESSION  
TUESDAY, FEBRUARY 2 & 16, 1993  
&  
PUBLIC HEARINGS  
FEBRUARY 8, 1993  
&  
COMMITTEE OF THE WHOLE  
FEBRUARY 1, 1993

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