

Councillor Ball said he does not have difficulty with the \$50,000 but he would like to know how controls could be put in place with regards to verifying the time it takes to do a clearing. He said there is no one who polices how many hours are put in. He said the contract is awarded on a per hour and so much per kilometre for sidewalks salting and sanding etc.

Mr. Meech said that there is some monitoring and it is under the control of Bill Newman in the Engineering and Works department. He said it also has to be taken into consideration that it not all strictly on an hourly rate because if someone has a bigger piece of equipment that may be able to do the job in two hours at a higher rate whereas someone who is using a smaller piece of equipment may be doing the job over a longer period of time at a lower rate per hour. He said there have been some improvements in terms of the specs to try to overcome some of those difficulties. He said there is a report on an annual basis but maybe this could be provided more often. He said the staff person responsible for administering these contracts should have some base information on which to measure.

Councillor Ball said it is assumed that the person doing the plowing is honourable in the bill they give to the municipality. He said if it is possible he believes that a close look has to be taken because in some places people may have under bid keeping in mind that they can add an hour or two on to that particular item the night of the snowstorm. He said the county cannot predict how much it is going to cost because there is no way of knowing how many snowstorms there will be. He said he is also concerned whether or not he people are capable of doing the job and he would like to know what, if any, contingency plans are in place if it is discovered that a particular contractor is not performing to the level of service. He asked if damage is done to sodding during plowing it has to be replaced by the county. He said he would assume that this would be built into the contract. He asked if no one from North Preston was qualified to do the contract in that area which resulted in it being contracted to a company in Sackville given the fact that the Set Aside Program is being looked at as an initiative.

Mr. Meech said he would understand from the information provided that this was the lowest qualified bidder on that particular contract. He said if council or the Executive Committee wants a full briefing on this it might be better to have the staff people come in to indicate how we do function.

Councillor Hendsbee said he would like to see a comparison of the tenders that are affecting his area. He said he would like to see this in order to have some idea of what the margins were. He said he would like to have seen this come up for discussion under the Set Aside. He asked why there was a task amount per area or per project because he has difficulty in trying to assess an hourly

rate. He said if it was a parking lot that needed clearing you should be paid to get the parking lot cleared no matter how much time it takes. He said he would like to see a comprehensive report of all the tenders that were accepted and considered as well as seeing the contracts, in his district, that may have been disqualified for failure to provide hourly rates.

Mayor Lichter said this information could be obtained from Bev Clahane the Purchasing Coordinator.

Mr. Meech said that preference is not given on the basis that it is in a certain district and he feels it should be made clear that this is not the way the policy operates.

Councillor Giffin said that it is his understanding that these contractors are not paid by the hour but by the snowfall. He said the snowfall is monitored constantly by the department of the environment and figures come into the engineering department.

Councillor Meade asked if Beavervank went on its own would separate liability insurance have to be taken out.

Mr. Meech said Halifax County has a blanket liability for the municipality. He said in his view if it Beavervank is taken off the contract he would assume the community would look after it directly and not through the municipality. He said if the community would like to take it on as their own project and not have the service provided by the municipality, that is an option open to them.

Councillor Meade asked what would happen is someone fell and was injured.

Mr. Meech said that the sidewalks are public property and he would assume that the Department of Transportation have themselves covered under their agreement with the county.

Councillor Meade asked if the hourly rate start when the contractor leaves his office or does it start when he begins the job.

Mr. Meech said he does not have this information. He said if council wants to explore this particular issue then he would bring in the appropriate staff people to give a briefing as to how it works in practice.

Councillor Merrigan said he had looked at this in depth the previous year. He said the county does not call these people out but rather it is up to the people to go out on their own. He said he called the Engineering Department to see if there were any controls in place. He said he does not feel that these contracts should be set in November. He said he does not know if it has ever been looked at with regards to the county providing the service for

itself. He said the residents of Beavercreek looked at this and felt they could get a machine and hire an operator year round. He said he feels council should be directing staff to take a look at the whole subject of sidewalk snow plowing.

Councillor Brill said he had suggested to the Director of Parks and grounds that Halifax County should look at doing this themselves. He said there is a need for additional equipment and he feels it could be more cost efficient.

MOTION CARRIED

Councillor Cooper said that with the number of questions being asked he wanted to know if this could go before a Committee of the Whole or Special Council Session.

Mr. Meech said maybe this should be discussed at the Executive Committee and each councillor will be informed when it will be on the agenda.

Mayor Lichter said he would suggest a meeting at which Bev Clahane and Bill Newman could be present.

Councillor Merrigan said he feels this should be referred to Service Standards Committee to look at a way of providing the service. He said there may be a way this may be able to be handled by the county.

Mayor Lichter asked Councillor Merrigan asked if he was suggesting that a special Service Standards Committee meeting be held for this one issue and to invite other councillors who have an interest in it.

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

"THAT A SERVICE STANDARDS COMMITTEE MEETING BE HELD TO
DEAL WITH THIS ISSUE TO WHICH OTHER INTERESTED
COUNCILLORS BE INVITED TO ATTEND"

MOTION CARRIEDDATE FOR BY ELECTION DISTRICT 12

It was moved by Councillor Deveau, seconded by Councillor Randall:

"THAT JANUARY 15, 1994 BE THE DATE SET FOR THE BY
ELECTION"

MOTION CARRIEDTENDER - PUMPER TANKER, GOFF'S FIRE DEPARTMENT

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

"THAT COUNCIL APPROVE THE BID SUBMITTED BY FORT GARRY INDUSTRIES LTD, IN THE AMOUNT OF \$142,000.00 PLUS \$10,049.00 FOR OPTIONS, FOR A TOTAL OF \$152,049.00 AS THE LOWEST BID MEETING ALL THE DEPARTMENTS REQUIREMENTS. FURTHER FINAL AWARD OF THIS PURCHASE WILL DEPEND ON APPROVAL OF THE REQUIRED FINANCING"

MOTION CARRIED

CANADIAN NATIONAL - COUNCILLOR RANKIN

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

"THAT A LETTER BE WRITTEN TO THE PROPERTY MANAGEMENT DIVISION OF CNR REQUESTING THAT CONSIDERATION BE GIVEN TO DEEDING OVER CERTAIN CNR RIGHT OF WAY IN THE LAKESIDE TIMBERLEA AREA TO THE DISTRICT RECREATION ADVISORY COUNCIL SHOULD CN EVER WITHDRAW SERVICE FROM THIS AREA"

Councillor Rankin said the purpose of this acquisition would be to provide walking and other paths of recreational use and lands in the district which has very little other public areas.

MOTION CARRIED

WESTERN REGION COMMITTEE RESOLUTIONS - COUNCILLOR RANKIN

School Capital Construction Committee

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

"THAT A LETTER BE WRITTEN TO D.E. NAUSE, CHAIRMAN OF THE SCHOOL CONSTRUCTION COMMITTEE, WITH A COPY TO SCHOOL BOARD MEMBERS SMITH AND BROWN AND MR. MACEACHERN, BARKHOUSE, HOLLAND AND MACDONALD AND OTHER MLA'S IN HALIFAX COUNTY READING "IN AS MUCH AS YOUR MINISTER, WHEN WE MET WITH HIM AT PROVINCE HOUSE ON NOVEMBER 2, 1993 INVITED OUR COMMITTEE TO FORWARD OUR CONCERN AND RECOMMENDATION. WE ASK YOUR OFFICE TO TAKE INTO CONSIDERATION THE FACT THAT SOME ENABLING PROVISION SHOULD BE IN EFFECT ON THE SCHOOL CONSTRUCTION MATRIX TO COVER SITUATIONS SUCH AS DRAMATIC GROWTH IN SUBDIVISIONS IN HALIFAX COUNTY. THE EXISTING NUMERIC WEIGHTING SYSTEM DOES NOT TAKE INTO ACCOUNT PENDING RESIDENTIAL DEVELOPMENT"

MOTION CARRIED

Minister of Transportation

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

"THAT A LETTER BE WRITTEN TO THE MINISTER ASKING THAT HE GIVE FAVOURABLE CONSIDERATION IN THE BUDGET FOR 1994/95 FOR THE UPGRADING AND REPAVING OF ROUTE 333 TO PEGGYS COVE AND NOT ALLOW THIS EXTREMELY IMPORTANT TOURIST DESTINATION BE IMPEDED BY INFERIOR ROADWAYS. FURTHER A COPY OF THE LETTER BE SENT TO JIM BARKHOUSE, BRUCE HOLLAND AND WESTERN COUNCILLORS"

MOTION CARRIED

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

"AS REGARDS TO THE POSSIBLE FINDINGS OF THE MANAGEMENT AUDIT FOR DOT AND SPECULATION BEECHVILLE OPERATIONS MAY BE REDUCED IT HAS BEEN MOVED BY THE WESTERN COMMUNITY COMMITTEE THAT DOT BE INFORMED THAT THE WESTERN COMMITTEE SUPPORTS A CENTRAL LOCATION IN THIS AREA TO ENSURE THAT SERVICE LEVELS DO NOT DECREASE IN THE WESTERN REGIONS - WHICH IS AN AREA EXPERIENCING RECENT TREMENDOUS SUBDIVISION GROWTH"

MOTION CARRIED

Lucasville Water - Councillor Giffin

Councillor Giffin said he had spoken about this at the October 18th meeting. He said he had stated at that time that there is now a problem with no water, not just bad water. He referenced his comments with regards to the water problems in Timber Trails. He said on October 25 a memorandum was circulated to councillors and at the November 18 meeting he had said he would be holding a public meeting to discuss the problem in his community. He said there is a shortage of fresh clean water. He said when people wanted water for such things showers, watering lawns or swimming there was never any problem but that is changing. He said there is a problem with water in his district. He said he held a community meeting and explained to the residents the situation as outlined by Mr. Wdowiak. He said he had previously held a meeting with Mr. Graham Heffler on the \$150,000 he will be expected to come up with and he has agreed that he wants to go ahead with the first phase. He said the total project to be included with the capital projects is a \$2.5 million which includes water along the whole of Lucasville Road. He said that would be in a number of phases. He said these figures do not include provincial assistance.

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

"THAT THE FIRST PHASE OF THE LUCASVILLE WATER DISTRIBUTION PROJECT BE IDENTIFIED AND INCLUDED IN THE PROJECTED CAPITAL WORKS BUDGET AND FURTHER RECOMMEND THAT

HALIFAX COUNTY APPROVE THE CAPITAL EXPENDITURE OF \$312,000 TO PROVIDE WATER SERVICE IN THIS AREA CONDITIONAL ON AN AGREEMENT BY TIMBER TRAILS (GRAHAM HEFFLER) TO AMORTIZE \$150,000 OVER TEN (10) YEARS AT 11%"

Councillor Sutherland asked what the foot frontage costs were.

Councillor Giffin said it is projected to be \$25.08.

Councillor Cooper asked if this motion, at this time, predetermine some of the discussion on the upcoming meeting with regards to capital budgets.

Mayor Lichter said this is a project that was discussed a long time ago with the former Minister, Tom MacInnis, and Mr. Heffler at which time he proposed the resolution of the \$150,000 to be paid by Mr. Heffler. He said this is the entire servicing project for the Timber Trails Mobile Home Park. He said the difference in this scenario is that it is considered now the first phase of the total project and consequently it could not be just be a four or six inch line for the mobile home park itself but it would have to be the upgraded line so that later on that line could be continued to provide water up on the Lucasville Road.

Councillor Giffin said it would be a fourteen inch line of which only a four inch line would go into Timber Trails. The fourteen inch line will enable them to carry, with the hydraulics involved, the full length eventually into Sackville which will provide looping for the system in Sackville.

Mayor Lichter said the one portion that the motion did not include is subject to approval for cost sharing by Municipal Affairs. He said that is normally included. He asked Mr. Meech if this would have some kind of impact on next Wednesday's discussion.

Mr. Meech said that with the second part of the motion included, in effect, council is now authorizing the county to proceed with that particular phase. He said it does preempt the discussion on the capital program.

Councillor Cooper said he does not have difficulty with the project but he has difficulty with the procedure being used. He said a Committee of the Whole has been scheduled to discuss the capital projects. He said it is his feeling that the capital project list is incomplete because of the failure, at one time, of the Engineering Department to carry out a requested survey and therefore won't have enough information to make an honest judgement unless Mr. Meech can say that the report is going to be available by Wednesday night. He said he would have difficulty approving this at this time.

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

"THAT THIS MOTION BE DEFERRED TO THE COMMITTEE OF THE WHOLE SCHEDULED FOR WEDNESDAY, DECEMBER 15, 1993"

MOTION DEFEATED9 IN FAVOUR10 AGAINST

Councillor Hendsbee asked if this cost only applied to domestic or do they include fire hydrants.

Councillor Giffin said these costs include fire hydrants. He said he is asking for a piece to be run five thousand feet from where the line crosses Lucasville Road up to Timber Trails to solve their problem and to put the first phase in the ground with the fourteen inch pipe. He said a consultant company, who had done a survey on Lucasville Road, shows that the hydraulics to service that road, all the way to Sackville, require a minimum of a fourteen inch pipe. He said he is suggesting that this go in now and be classed as phase one which will enable Mr. Heffler to get his line off that.

Councillor Ball asked if the situation is that there is no water on the site or is it that the property owner is not going to take any more initiative to address the water problem on site. He asked if has been proven, engineering wise, that there is no water in the well to service that site or is it that the system is inadequate and there are no other alternatives but this.

Mayor Lichter said the only difference between this mobile home park and Churchill Estates is that this owner did not walk away from the problem. He said the owner has done all possible to obtain water but there is simply no water to this mobile home park. He said drilled wells have been located but there is no way to get the water.

Councillor Ball said if no remedial work can be done to Timber Trails then the only alternative is an extension of the line. He said he does not see any evidence in what is being discussed here if that is so. He said he does not like to see projects taking place in isolation of some semblance of priority. He said he does agree that if there is an emergency situation sometimes priorities have to be put aside. He asked what have the people been doing for water since January.

Councillor Giffin said the people take their washing away, bring water from other places to drink and do what they can to alleviate the problem.

Councillor Peters said she is having a problem dealing with this as an agenda item when the reports are not in front of council. She said it is a major item. She said she would like to have this sent back to Service Standards or have a full report with all the

information before making a decision.

Councillor Ball suggested that this item be referred to either Service Standards or the Committee of the Whole and that all the proper documentation and substantiation be provided to council on that night so that council deal with the issue.

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

"THAT THIS BE REFERRED TO THE COMMITTEE OF THE WHOLE SCHEDULED FOR JANUARY 15, 1993 AND THAT THE PROPER INFORMATION BE AFFORDED TO ALL COUNCIL MEMBERS SO THAT THEY CAN MAKE AN EDUCATED DECISION ON IT IN RELATION TO OTHER THINGS"

Councillor Ball said priorities can be changed if there is a real emergency. He said he would not disagree with that but he would like to have some information that can help to decide how much of an emergency it is. He said he does not feel that one week is going to make a difference in the extension of the water system in Councillor Giffin's situation if they have been out of water since January.

MOTION CARRIED

Speed Limit - Councillor Ball

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

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION REQUESTING A SPEED REDUCTION BETWEEN IRIS AVENUE IN HERRING COVE TO HEBRIDEEN WHEREAS THERE ARE TWO SUBDIVISIONS WITH A LOT OF YOUNG CHILDREN WAITING FOR SCHOOL BUSES ON THAT MAIN ROAD AND REQUEST THAT THE SPEED LIMIT BE REDUCED KEEPING IN MIND THE SAFETY OF THE PEDESTRIANS ALONG THAT ROAD"

MOTION CARRIED

DOT - Councillor Peters

Councillor Peters said the bridge going over the Shubie River into Enfield is in terrible shape with potholes etc.

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION REQUESTING THAT THIS MATTER BE ADDRESSED AS SOON AS POSSIBLE"

MOTION CARRIED

Department of Natural Resources - Councillor Randall

Councillor Randall said the department has been blocking off points of access to the rail line that is now owned by the department to prevent dumping of garbage etc. He said he supports the action they have taken in order to prevent this area from becoming a garbage dump. He said there are some people who have wood lots and in order to get to the wood lot they have to cross over the natural resources property and they would like to get permission from the department to do this.

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

"THAT A LETTER BE WRITTEN, WITH A COPY TO THE LOCAL MLA, TO THE MINISTER DEPARTMENT OF NATURAL RESOURCES ASKING WHAT THEIR POLICY, IF ANY, IS WITH REGARDS TO THIS SITUATION AND ASKING WHAT OPTIONS PEOPLE HAVE TO GAIN ACCESS TO THEIR PROPERTIES"

MOTION CARRIEDDOT - Councillor Randall

Councillor Randall said there are two paraplegics who live in Lawrencetown area that go to the Atlantic View School. He said they are young children and travel to the school in wheelchairs. He said he has spoken to the Department with regards to the safety aspect and was informed that they do not install signs for paraplegics. He said because of the particular situation here he would like to ask the minister if there is the possibility that it might be reconsidered. He said there are no sidewalks and they travel a narrow gravel shoulder. He said there is also a sharp turn on the road approaching the school and it is also a heavily traffic area.

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

"THAT A LETTER BE WRITTEN, WITH A COPY TO THE MLA AND THE PARAPLEGIC ASSOCIATION IN HALIFAX, TO THE MINISTER OF TRANSPORTATION ASKING, BECAUSE OF THIS, IF THEY WOULD CONSIDER PUTTING A SIGN, IN THAT AREA, INDICATING THAT THERE ARE PARAPLEGICS TRAVELLING THERE. HE SAID IT WAS ALSO SUGGESTED THAT THEY USE THE INTERNATIONAL SYMBOL WHICH WOULD SUFFICE"

MOTION CARRIEDURGENT AGENDA ITEMSCouncillor Barnet - 101 Highway

It was moved by Councillor Barnet, seconded by Councillor Hendsbee:

"THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION REQUESTING THIS HIGHWAY JOB BE AS HIGH AS POSSIBLE ON THE LIST OF PRIORITIES"

MOTION CARRIEDCouncillor Brill - Senior Citizens Housing

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

"THAT HALIFAX COUNTY MUNICIPALITY FORWARD A LETTER TO THE HONOURABLE GUY BROWN, MINISTER OF HOUSING, REQUESTING THAT ADDITIONAL SENIORS HOUSING BE CONSTRUCTED IN THE COMMUNITY OF SACKVILLE"

Councillor Brill said he has taken this matter to the Sackville Community Council and they have endorsed this request. He said because there is a 25% cost sharing on seniors housing, by this municipality, he has been advised to seek the support of council. He said the director of the regional housing authority has advised him that there is no other area in this province which such a need for housing. He said there are presently 52 people approved and are awaiting available housing in Sackville. He said subject to the motion being approved he request that a copy of the motion and the letter be sent to Mr. Jeff Regan, MP, Halifax West; Mr. John Holm, MLA; Mr. Bill MacDonald, MLA; Mrs. Eleanor Reader, Chairperson, Sackville Seniors Advisory Council.

MOTION CARRIEDCouncillor Ball - Fisheries

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

"THAT A LETTER BE WRITTEN TO THE MINISTER OF FISHERIES REQUESTING WHAT THE FISHERY PLAN IS FOR THE HALIFAX COUNTY REGION AS OF JANUARY 1, 1994.

He said the fishery is closed. He said we don't know what the future is going to be effective January 1, 1994. He said several questions have to be asked. If the ground fishery is going to be open to fishermen on January 1, 1994 to whom is it going to be open and will all parties be treated the same? He said those questions have to be asked in this letter because he feels that the fishery could potentially open in 1994 but it may be restricted to those fishermen who have a boat that is 65 feet or more or it could also be restricted to draggers. He said that becomes very unfair to those people who have vessels that are below 65 feet because it is not being treated on a fair and equitable basis. He said he would like that letter to go to the minister of fisheries asking what their plan is for the region and the answers to those questions outlined. He said he would like a copy of the letter be sent to

the local MP's representing the Halifax County region. He said he would also like to the letter to ask what their proposal is in relation to full time, part time, plant workers and plant owners.

MOTION CARRIED

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

"THAT A LETTER BE WRITTEN TO EACH OF THE INDIVIDUAL MP'S IN THE HALIFAX COUNTY AREA REQUESTING THAT THE LOCAL MP'S ORGANIZE A MEETING OF THE LOCAL FISHERMEN TO LISTEN TO THEIR CONCERNS AND TO MAKE SURE THAT THEIR CONCERN REACH THE APPROPRIATE BODY THAT IS EFFECTED"

MOTION CARRIED

ADDITION OF ITEMS TO THE JANUARY 4, 1994 COUNCIL SESSION

Cable Television, Bald Rock - Councillor Ball

Downsizing hospitals without transferring funds for homemaker service to the Municipality - Councillor Brill

Department of Education - Councillor Giffin

ADJOURNMENT

It was moved by Councillor Hendsbee:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

PUBLIC HEARING

December 13, 1994

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Ball
Councillor Deveau
Deputy Mayor Bates
Councillor Hendsbee
Councillor Randall
Councillor Smiley
Councillor Brill
Councillor Giffin
Councillor Barnet
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Councillor Turner
Councillor McInroy
Councillor Cooper

ALSO PRESENT: Dale D. Reinhardt, Acting Municipal Clerk
Fred Crooks, Municipal Solicitor

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The meeting was called to order at 6:00 p.m. with the Lord's Prayer. Mr. Reinhardt 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

Mayor Lichter outlined the procedure followed for a public hearing.

PA-CHW-15-93 & ZAP-CHW-15-93 - APPLICATION BY THE MUNICIPALITY TO
AMEND THE POLICIES OF THE MUNICIPAL PLANNING STRATEGY FOR COLE
HARBOUR/WESTPHAL IN ORDER TO ESTABLISH PROVISIONS WITHIN THE
SUBDIVISION AND LAND USE BY-LAWS WITH REGARD TO REDUCED LOT
FRONTAGES FOR LOTS IN UNSERVICED AREAS

Mr. Jim Donovan made the staff presentation. He said the first application was to amend the municipal planning strategy and land use by-law for Cole Harbour/Westphal and to amend the municipal subdivision by-law in order to permit the reduced lot frontage

provisions of section 14.1 of the subdivision by-law to be applied in the unserved areas of the Cole Harbour/Westphal plan area. The staff report dated September 20 include amendments that were initiated at the request of the area councillor for district 7 who was responding to a subdivision difficulty which one of his constituents was having. The staff report supports the application of these provisions in unserved portions of Cole Harbour/Westphal and a public participation session was held on October 28th by the Cole Harbour/Westphal community PAC who recommended that this public hearing be held and that the amendments as attached to the staff report be approved by council.

He said these amendments are that same as that are presently in place for the other urban plan areas of the municipality as well as the rural areas of the municipality. He said they are fully supported by staff and the local community committees and council. He said the amendments that are attached would require the majority of the whole of council for approval.

QUESTIONS FROM COUNCIL

No questions from council.

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

It was moved by Deputy Mayor Bates, seconded by Councillor Deveau:

"THAT COUNCIL APPROVE APPENDIX "A"

MOTION CARRIED UNANIMOUSLY

It was moved by Deputy Mayor Bates, seconded by Councillor Hendsbee:

"THAT COUNCIL APPROVE APPENDIX "B"

MOTION CARRIED UNANIMOUSLY

It was moved by Deputy Mayor Bates, seconded by Councillor Hendsbee:

"THAT COUNCIL APPROVE APPENDIX "C"

MOTION CARRIED UNANIMOUSLY

PUD-01-93-MW-A2 - REQUEST BY THE DEPARTMENT OF HOUSING TO AMEND THE
MILLWOOD PLANNED UNIT DEVELOPMENT (PUD) AGREEMENT TO REDESIGNATE
PARCEL MFM-4 IN THE MILLWOOD PUD FROM TOWNHOUSE/APARTMENT TO
SINGLE/TWO UNIT DWELLINGS

Mr. Jim Donovan gave the staff report. He said this application was brought forward by the Department of Housing and the intent is to redesignate a six and one half acre parcel of land located on Millwood Drive, within the Millwood PUD, from block lands to lot frontage as identified on the concept plan which forms part of the Millwood planned unit development agreement. The Department of Housing has submitted, for approval by the municipality, an application for endorsement of final subdivision on these lands known as parcel MFM-4 for 15 single unit houses and for four semi detached lots for a total of 23 units. He said this is outlined on page six of the staff report dated October 25th.

He said the reasons for the change being requested by the Department of Housing are primarily dictated by market conditions. The market for apartment units is not good right now in Sackville and the Department of Housing is having some difficulty developing this site and there is a demand for lower density forms of housing. In addition, the Department of Housing has indicated that the existence of a watercourse passing through the property and the proximity of the Little Sackville River are also considerations behind the application to redesignate. The Department originally requested that this matter be approved by staff as an unsubstantial matter subject to a mutual consent clause in the PUD agreement. He said staff, the municipal solicitor and council have reviewed this and believe it is a matter that does not fall under that category and hence this public hearing is required for council to approve this change. He proceeded to show slides of the site.

He said the Millwood PUD and the site analysis that was prepared in support of the master plan, which forms part of the agreement, expressed an intent to develop the site for multiple unit dwelling purposes and a review of the background information suggests to staff that the physical characteristics of the site provided the rationale for this designation. The low area on the South end of the property, through which the brook drains, and the mature stand of trees on the property were identified as site constraints. He said it was felt at the time that an apartment block could be built on the site without disturbing those site conditions too much. In addition, the property is on a major street in the planned unit development, Millwood Drive and Section 4.7 of the Millwood master plan report indicates that it is the intention of the Department of Housing to develop sites along major streets for the higher density housing. He said these were primarily reasons why staff was not in support of this amendment. He said the staff position is not supported by the Planning Advisory Committee or the Sackville Community Council both of whom have recommended that this application be approved.

QUESTIONS FROM COUNCIL

Councillor Sutherland said in order to get the sanitary and storm sewer to flow by gravity on the proposed road it looks as if the elevation will have to be raised. He asked how much higher would that road have to be brought.

Mr. Donovan said he could not state for sure but somewhere between three and five feet. He said it is not much, just enough to get the drainage to Millwood Drive with the gravity connection to Millwood Drive. He said the design is being reviewed by the Engineering department and at this point he does not have the results of the evaluation. He said the Department of Housing has submitted a subdivision plan for final endorsement by the municipality and the storm drainage and the impacts on the Little Sackville River are all being evaluated by the department.

Councillor Boutilier said under the current PUD 70-75 units could be built there. He asked what would be the possible number of building units that you could have.

Mr. Donovan said the PUD agreement is not very specific in terms of that aspect. He said there could be townhouses which would imply multiple buildings. There could be various walk up buildings as well. He said it is not very clear in terms of what you end of having on the site in terms of apartment buildings.

Councillor Boutilier said under this possible redesignation of the parcel of land 15 single units and four two units for a total of 23 units. He asked if the twenty three units have a lesser impact on that particular parcel of land than the possibility of 70-75 units in the various combinations.

Mr. Donovan said in terms of traffic and possible impact on community facilities such as schools and any other community services there would probably be less.

Councillor Boutilier said he is thinking more specifically of the impact on the brook and the land layout itself. Would it not be easier to accommodate 23 type rather than the 70-75 units in terms of protecting the Little Sackville River.

Mr. Donovan said the development of single family housing on separate lots gives very little control in terms of retaining tree cover and site grading for individual buildings than the normal procedure outside the PUD for apartment buildings where they look at things including the site characteristics, the retention of tree cover, etc. He said he would agree that in this particular case the PUD agreement does not provide any safeguards or any specific ones that would require the Department of Housing or anyone purchasing that property to retain the mature stand of trees for example.

Councillor Boutilier asked what the setback from the Little Sackville River would be.

Mr. Donovan said he believes it is one hundred feet.

Councillor Boutilier asked if the same would apply to the twenty three units.

Mr. Donovan said he believes in terms of the Little Sackville River it does. He said it would be twenty five feet from the little brook.

Councillor Boutilier asked if the little brook would come under the Department of the Environment guidelines.

Mr. Donovan said he believes the Department of Housing has endeavoured to follow the requirements of the Sackville land use by-law wherever possible and twenty five feet is the usual setback in the municipality from watercourses.

Councillor Hendsbee asked if this proposal would also require or does the developer intend to have a berm or dyke built on the back for siltation control and also as a reduction of risk of flooding in the future.

Mr. Donovan said he does not believe it has been evaluated by the Engineering department to that standard at this point.

Councillor Hendsbee asked if that could be a condition with any development agreement or a portion thereof.

Mr. Donovan said if it was a development agreement but that is not really the case here. This is not a development agreement but a planned unit development and it isn't that site specific in terms of how this site will be developed.

Councillor Hendsbee asked if the other side of the river has experienced any flooding problems in the past.

Mr. Donovan said they have not to his knowledge.

Councillor Cooper referenced the map on page 6 showing the lands to be conveyed to the municipality. He asked if those lands would be attached to the area that would have to be filled in before they can be built on and what might be the effect on the municipality receiving those lands.

Mr. Donovan said those lands roughly correspond to one in one hundred year flood limit and they would basically be left undisturbed.

Councillor Cooper asked if lot 6, 7, 8 and 9 in the area that would

have to be filled and previously marked for recreation as from the other maps.

Mr. Donovan said that end of the site is not identified in the flood risk mapping as being within the one in one hundred. He said the area to the right of that as shown on the plan will probably have some drainage improvements. He said he could not answer the question whether or not there was a proposal to do that or whether it is just a build up area. He said it is his understanding that lots 1-8 would be built up for protection from the watercourse.

Councillor Cooper asked if there was any work required in the ditch area to carry storm runoff from this property in general and who would be responsible for it.

Mr. Donovan said the municipal engineering department has requested the Department of Housing provide some further details on that.

Councillor Cooper said if this change goes ahead what effect does this have on the overall master plan composition of the varied housing types.

Mr. Donovan said it does eliminate from consideration at least one block of apartment housing that is designated. He said it basically removed 75 apartment units.

Councillor Cooper what effect does it have percentage wise.

Mr. Donovan said he does not have the actual percentage. He said it is 75 units of the 482 which were originally set aside for block lands, apartments and townhouses.

Councillor Barnet asked if the Department of Housing under their current PUD by right build the same design and put seventy units of townhouses on the same exact plan that they have submitted for semi detached and single family houses.

Mr. Donovan said this can be done.

Councillor McInroy asked if anything have to do with storm drainage and flood plains on that site remain to be resolved through submission of drawings through the engineering department regardless of its current designation or whether it becomes redesignated for lesser density.

Mr. Donovan said the Department of Housing and the Engineering department have been working towards some design solutions and to assure the municipality that the upstream property owners on that brook will not be adversely effected. He said that is one of the main considerations being looked at. He said by filling in some of the land adjacent to this brook is not having the effect of blocking the stream from flowing into the Little Sackville River.

He said all that is being looked at as part of the evaluation of the subdivision application.

Councillor McInroy asked if those same considerations would be addressed if there were a series of higher density buildings being proposed on the site.

Mr. Donovan said yes.

Councillor Brill asked if this development be more compatible with the existing neighbourhood.

Mr. Donovan said it would.

Councillor Brill said to his knowledge there is no one in that immediate area that objects to this proposal for R-1 and R-2 as opposed to apartments.

Mr. Donovan said he has not had any objection to this application.

Councillor Brill said the existing MLA supported this along with the Sackville Community council. He said there is a market for R-1 and R-2 but not for R-4.

Mr. Donovan said that this has been indicated in the application that there is no market for apartments.

Councillor Brill asked if the existing MPS not provide for a mix of 70% R-1 and 30 other. He asked if the existing mix conforming with that and this would help conform with the MPS.

Mr. Donovan said in the existing MPS there is no 70/30 ratio. He said he is not sure how Millwood is affected in the new MPS. He said there are not apartments other than the Crossroads Housing Co-op.

SPEAKERS IN FAVOUR

Mr. Harold Dillon, representative of the Nova Scotia Department of Housing, spoke in favour of the application. He said these lands were initially designated for a school site in Millwood in the PUD agreement which was entered into in 1980. He said that PUD agreement had a clause which allowed this site to revert to residential use should an alternative school site in Phase I of Millwood be required in advance of this site coming on stream. That eventuality did happen and as a result this site reverted to its residential use as designated in the PUD.

He said at the time of application for this site for approval in the Phase II and III plan, the Department was unclear as to exactly residential use be made of it so it was designated for block lands which allowed up to the maximum permitted under the PUD which for

this land included apartments and townhouses with a total unit count of approximately 75 units.

He said in the early 1990's they made a public proposal call for the development of this site for apartments and townhouses as permitted under the PUD. He said they received no response from the development community to that proposal call. Since that time the site was advertised with a sign indicating that the site was for sale for apartment or townhouse development. They have received no interest. He said in the intervening two year period they were approached on a regular basis by members of the community who were building in Millwood, residents, builders, local community councillors and the MLA seeking the department to develop this site for single family and semi detached housing. As well they have sold most of the lots in Phase II and III and now find themselves in a short supply of lots for that area and are being asked to bring more single family and semi detached lots on stream. He said it is for those reasons they made application in October, 1993 following the completion of legal survey work and engineering design for subdivision application for this parcel for 15 single family homes and 8 semi detached homes on four semi detached lots. The plan has been endorsed by Sackville PAC and the Sackville Community council and they are hopeful that council will grant the amendment which they have requested.

He said it should be noted that the stream is entirely off the site that has been requested for subdivision approval for single family and semi detached housing. He said the entire site that is being proposed to be sold into private hands for lots is entirely outside the one hundred year flood plain about the Little Sackville River and the tributary that runs perpendicular to the Little Sackville River. He said this is in keeping with the flood risk mapping study and recommendations which were adopted in the federal/provincial flood risk mapping of the Little Sackville River in 1986/87.

Mr. Water Regan, Vice President of the Sackville Rivers Association, spoke in favour of the application. He said they are interested in lands adjacent to the biggest tributary of the Sackville River and that is the Little Sackville River. He said they are in favour of the lands being used as single dwellings and not an apartment building. He said the Association would like the Housing Corporation to put more houses here and make this area into a recreation and park area for the people of Millwood, Sackville and Halifax County. He said there is a shortage of open spaces and recreation fields for the people of Millwood and Sackville. He said a large portion of these lands will be given to the county. He said the site is relatively flat, subject to occasional flooding. It contains a stand of mature soft and hardwood trees. An environmental analysis indicates a the majority of the site is identified as being of secondary development area suitable only after infilling and two to three years of settlement. The southern

portion of the site is identified as open space for use as recreation and park areas. The subject lands were initially identified from municipal uses. The association believes that municipal uses can also include park and recreation areas. Keeping in mind that eventually Millwood will have at least one thousand six hundred and twenty two residential units, these people must have a place to play and green spaces to enjoy.

He said there are many factors to consider. One is the Department of Housing with the community and the Sackville Rivers Association are involved in the Millwood commons project. This project is just upriver and it would be prudent to extend this project to these land for the good of the community. Another is the danger of flooding and harm to the flood plain and the valuable Millwood wetland. He made reference to PAC minutes where it was indicated that there may be a potential for flooding. He said the Sackville Rivers Association believes that the best policy in this case is to leave the area free as a recreational space and green area for the good of the community especially as the population pressures increase in this area. He said Millwood Drive goes through the floodway and a valuable wetland and they also designed that the Little Sackville River must go through five culverts that, in low water, is a blockage to fish passage. He said people living next to these sites do not know they are potential for apartment buildings. He said the Sackville Rivers Association believes that may not be suitable for apartment buildings because it is on a flood plain, it is very swampy and next to a valuable wetland. He said the site cuts through a prime tree area and there is not much of prime tree area left in Millwood. He said points that were raised by members of the public and councillors are valid and point to a great cost to the public to bring those lots up to standard for development.

He said it is a subdivision of 700 houses now with the possibility of 1,622 units it goes without saying that these six and a half acres would be a prime spot for a passive recreational park and sports field without adding to the flooding or silt problems in the Little Sackville River and loss of prime treed area. He said this small gesture would go a long way to show the public that the Department of Housing has a heart and does care for the community. This can be done at almost no cost to the taxpayer as well as preserving the Millwood floodplain and a valuable wetland. He said it would be an excellent extension to the Millwood commons. He said they hope the housing corporation will rise to the challenge.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

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

"THAT COUNCIL APPROVE PARCEL MFM-4 IN THE MILLWODD PLANNED UNIT DEVELOPMENT FROM TOWNHOUSE/APARTMENT TO SINGLE/TWO UNIT DWELLINGS AS OUTLINED IN THE PLAN"

MOTION CARRIED

RA-EP/CB-22-93-06 - APPLICATION BY ANAHID INVESTMENTS LIMITED TO REZONE AN APPROXIMATELY 9.9 ACRE AREA OF LAND LOCATED SOUTHEAST OF THE COW BAY ROAD IN EASTERN PASSAGE FROM R-1 (SINGLE UNIT DWELLING) ZONE TO CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) AND TO REZONE AN APPROXIMATELY 0.67 ACRE AREA LOCATED EAST OF THE CALDWELL ROAD AND COW BAY ROAD INTERSECTION FROM R-2 (TWO UNIT DWELLING) ZONE TO CDD (COMPREHENSIVE DEVELOPMENT DISTRICT)

Mr. Donovan presented the staff report. He said this application to rezone two parcels of land in the community of Eastern Passage to CDD in order to make the zoning consistent with a proposal of comprehensive development district that was before council on November 22, 1993. He said there was a public hearing held on the development agreement application involving that project. He said the purpose of tonights meeting is to rezone two parcels of land. A 9.9 acre parcel situated along the boundary of the property running parallel to Cow Bay Road extending from an area on one of the proposed streets to a point ending at the parkland parcel. The second parcel is 0.67 acres of land located in the proposed conservation area.

He said the analysis for the application is provided in the September 27th staff report which was before council on November 22nd. He said page four and page five provide the analysis for the rezoning. The rezoning application falls under Policy UR-13 of the Urban Residential designation for Eastern Passage/Cow Bay. The policy stipulates that the rezoning to CDD can be considered by council subject to the following criteria: that the proposal is within the urban residential designation; that the development is capable of utilizing existing municipal sewer and water service; the development includes a minimum land acre of five acres; that where development provides for a mix of housing types that does not detract from the general residential character of the community; that adequate and useable lands for community facilities are provided and that the development is generally consistent with the overall intent of the planning strategy. Staff have evaluated the rezoning application and the proposal in staffs view meets the criteria; therefore, the recommendation is that the property be rezoned.

QUESTIONS FROM COUNCIL

Councillor Deveaux said it is indicated that the change does meet the criteria for UR-13. He said the portion to be rezoned is small compared to remainder of the area that has already be zoned CDD. He asked why these two portions were left out originally.

Mr. Donovan said the original zoning line followed a designation that coincided with what was formerly a residential A designation then became the Urban Residential designation in the planning strategy. He said when the property was included in the serviceable boundary and rezoned to CDD basically that rezoning only recognized what was already in the planning strategy and it did not take into consideration the actual property lines which is really what is reflected by this proposal. He said these two were not included as part of that overall rezoning that was initially approved. He said the majority of the land that is being requested to be rezoned from R-1 to CDD is intended to be used for single family dwelling purposes in the proposed CDD. He said there would be predominantly 54 and 60 foot lots as indicated in the draft agreement.

Councillor Sutherland asked if there has been any interest shown by either the residents group or the developer, since the hearing, of modifying the proposal to make amendments.

Mayor Lichter said he would like to remind council that this hearing is not dealing with the CDD but with the rezoning of these two parcels of land.

SPEAKERS IN FAVOUR

Barry Zwicker, Wallace MacDonald Lively, representing the developer, spoke in favour of the application. He said as was indicated and represented to council in November, this rezoning is considered to be a bit of a housekeeping rezoning process to bring the entire area that is now in one parcel of land within the same zoning designation as part of the CDD application. He said this rezoning is considered to be a piece of the puzzle that is necessary to make the entire area, which will be subject to a development agreement, within the same zone and designation. He said, on behalf of the applicant, they are supportive of this rezoning and perceive it as a housekeeping item that will tidy up a zoning boundary that should reflect the property boundary.

Councillor Giffin asked what was the acreage of these portions of land.

Mr. Zwicker said they are less than ten acres.

Mr. Kirk Ross spoke in favour of the application. He said this was left of the last public hearing. He said from his understanding of this whole thing it complies with all municipal planning strategies and by-law's. He said as a realtor he is in favour of this. He said it will create jobs and spin offs. He said he would like to see this approved as quickly as possible. He said it will help the economy, improve the tax base, etc. He said he feels the developer has been held up long enough on this and he would like to see it go through.

SPEAKERS IN OPPOSITION

Mr. Guy Spavold, Briarwood Drive, Eastern Passage, spoke in opposition to the application. He said he spoke in opposition to the other part of this application in November. He said he was speaking mainly from a lawyers perspective in reviewing the municipal planning strategy and how this application fits within the municipal planning strategy. He referred to pages 4-5 and 9-12 of the municipal planning strategy. He said this refers to the uniqueness of the Eastern Passage community. He said it also refers to a situation that has happened in Eastern Passage over the last ten years when the housing mix has changed from a 70/30 mix of R-1 housing to the present situation of approximately 55% other and 45% R-1 housing. In 1992 the municipal planning strategy was adopted to correct the density of housing within Eastern Passage. He said page 49 of the MPS refers to a goal of 70/30 split between low density and high density housing. He said the MPS is referring to low density housing as R-1 type lots and high density as other types of housing.

He said in considering to change R-1 housing to CDD you must consider UR-13 and IM-11. He said UR-13 states that this must be consistent with the general policies of this MPS and IM-11 says this must be in conformity with the intent of the MPS. He said if it is the intent of this planning strategy to get a more of a mix of 70% R-1 type housing in Eastern Passage then he does not know how that will occur if R-1 housing is changing to something else.

Councillor Ball asked if Mr. Spavold was aware that he had stated that he was a lawyer and was speaking as a lawyer.

Mr. Spavold said yes. He said he was speaking on his own behalf but with a legal background. He said he is not under retainer to any person or association.

Deputy Mayor Bates said an apartment building is obviously high density. He asked Mr. Spavold what he considered high density.

Mr. Spavold said that when he was referring to that he was referring to what it says in the municipal planning strategy on page 49. It says the development of two unit dwellings, mobiles, town homes and multiple unit dwellings. He said he feels housing with the density of duplexes would be included in the high density housing under the definition of high density housing contained in this municipal planning strategy.

Councillor Deveau asked Mr. Spavold if he was a member of the planning committee in 1991.

Mr. Spavold said he has only been a member for approximately six months.

Councillor Deveau said the larger portion of this area was approved as a CDD not only by himself but by the planning committee. He said these two portions are minute compared to what is already zoned CDD. He said the portion down to the south will be all sixty foot lots which is what the majority of those opposed was looking for. He said the other section at the top will take in some of the what was a swamp area. He said can't see any difficulty with approving those as part of the overall CDD.

Mr. Spavold said he has stayed away from the question of specific CDD before council. He said, in dealing with this, what he is saying is that if council does not approve the present CDD that is before it then if you approve this application to change this R-1 zoning to CDD then you will be changing R-1 zoning into CDD who knows what will happen to it at some later time. He said that is his point he is not referring to the present proposal how this will be developed.

Mr. Elizabeth Quint said she would like to see the section that is up for rezoning to CDD remain R-1 zoning. She said her reason for this is that it borders directly on lots that are occupied now and that have no services. She said in other words those people who live in that area now have a rural living condition and they don't live there because they cannot get water and sewer but they live there because they choose to have the large lots and the space around them. To rezone that particular section to CDD with the option that lots that will be developed will be smaller than the regular six thousand square feet. She said if council decides to rezone this particular section into the CDD she would hope that at least all the lots that border on the developed lots between the Cow Bay Road and the CDD are going to be regular size lots and not any smaller. She said she would like to know if there were any provisions for the people that directly border on the road to use the water and sewer services or will those services be exclusive for the CDD.

Mayor Lichter said the availability of services for those lots that she is speaking about will not hinge on whether it is rezoned or not. He said it is the rezoning that is being dealt with.

Councillor Deveau said he was given the impression that on the Heritage Hills proposed subdivision the houses that have been established for a number of years that border the Heritage Hills subdivision on the Cow Bay Road would need extra services installed to service those houses. He said it was his understanding that when Heritage Hills was completed the pumping station that will be put in use at the bottom of Heritage Hills will be able to be used to pump the sewer, if and when it goes to Cow Bay Road, back up to the plant.

Mr. Wdowiak said presumably the mains that will be servicing existing properties along the Cow Bay Road which may be abutting

Heritage Hills won't necessarily be going into the Heritage Hills pumping station.

Councillor Deveau said he was given the understanding by one of the engineers that the same pump that will be installed for Heritage Hills could serve the purpose of pumping their sewer back up.

Mr. Quint said she has asked people if they have been approached by the municipality or council. She said they said they had not and some of them were under the impression that there would be a thirty foot buffer zone between them and the CDD. She asked if there would be any provisions for those people since their living conditions will change dramatically with this development going in behind them; therefore, maybe there are some ways they could benefit from if it has to go through.

DECISION OF COUNCIL

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

"THAT THE APPLICATION BY ANAHID INVESTMENTS TO REZONE AND APPROXIMATELY 9.9 ACRE AREA OF LAND LOCATED SOUTHEAST OF THE COW BAY ROAD IN EASTERN PASSAGE FROM R-1 (SINGLE UNIT DWELLING) ZONE TO CDD (COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE AND TO REZONE AN APPROXIMATELY 0.67 ACRE AREA LOCATED EAST OF THE CALDWELL ROAD AND COW BAY ROAD INTERSECTION FROM R-2 (TWO UNIT DWELLING) ZONE TO CDD (COMPREHENSIVE DEVELOPMENT DISTRICT BE APPROVED"

MOTION CARRIED UNANIMOUSLY

RA-TLB-02-93-02 - APPLICATION BY ARMOYAN GROUP LIMITED TO REZONE 22 LOTS WITHIN THE ASHDALE HEIGHTS SUBDIVISION, SITUATED ON LANDS BETWEEN CHARLES ROAD AND BIRCHDALE AVENUE IN TIMBERLEA, FROM R-1 (SINGLE UNIT DWELLING) ZONE TO R-2 (TWO UNIT DWELLING) ZONE

Mr. Paul Morgan made the staff presentation. He said this is an application to rezone 22 lots in Ashdale Heights subdivision. He said the subdivision was originally from a 13 1/2 acre parcel of land that was undeveloped within developed portions of the Glengarry subdivision on the south side of the St. Margarets Bay Road. He said figure 1 of the staff report shows the 22 lots which have been requested for R-2 zoning. He said the intention of the applicant would then be, if the application is approved, to develop semi detached housing on each of these 22 lots. He showed slides of the property to council.

He said this subdivision, the applicants lands and the surrounding land are within the urban residential designation where priority is given to continuing residential development and in particular single unit dwelling development. He said it states in the

strategy that with the installation of central services there is an opportunity for alternative housing forms to meet the various needs of individuals in the community. To implement these intentions most undeveloped lands within the boundary of this community where services are to be installed are zoned R-1 (single unit dwelling) zone. He said there are policies that allow for two unit dwellings, townhouses, mobiles, apartment buildings and each housing type has specific criteria which council is asked to consider.

He said with semi detached housing the criteria are outlined in Policy UR-4 beginning at page six of the staff report and there are five specific criteria. He said the housing mix is a critical issue. He said the community has set a housing target for the whole plan area of 70% of the housing units to be single unit dwellings with the remaining 30% being allocated towards higher density housing. Higher density housing does include two unit dwellings, mobiles and mobile home parks, apartment buildings and townhouses. He said as of June, 1991 single unit dwellings did in fact comprise less than the target ratio. He said they comprised roughly 57% of the total housing stock. In large part this was due to substantial construction of semi detached housing in this community during the 1980's and a large part of that was on lands in the Greenwood Heights subdivision where the lands have been rezoned R-2. This practice has been discontinued and in the future each application will have to be considered on the merits of this housing criteria. He said staff has done an update of the survey since that time. Staff has done a count of the housing stock in relation to the ongoing computerized mapping program for this area. He said, as of early december of this year, the proportion of single unit housing declined marginally. He said in looking at this specific proposal although the proportion of the lots and units within the subdivision would be in excess of the housing of this target ratio for the plan area. He said they looked at it on a community basis as being all the lands encompassing the Glengarry Subdivision which would have common access to the St. Margaret's Bay Road. He said on this basis a large proportion of the housing has been developed with single unit dwellings and if this approval is granted this neighbourhood would still maintain a 70/30 ratio of single to higher density housing. The higher density housing in this instance being all semi detached housing. He said on this basis staff felt the proposal was reasonably consistent with the policies.

He said the reason staff recommended rejection was problems with relation to servicing, in particular the water services. The subdivision because of its proximity to the reservoir experiences low water pressures and under the subdivision regulations there is no requirement for minimum flows to meet the normal daily needs of people and housing. He said there are requirements to meet firefighting requirements but, under this scenario, you have to be able to supply large quantities of water to the hydrants but not at

very high pressures because the fire trucks each have their own booster pumps. He said the problem they had to ensure adequate minimum pressures required under the plumbing code each house would have to be serviced with an individual booster pump in the basement. He said in this regard staff did not feel that this proposal was adequate. There had to be an alternate solution. He said the appendix to the staff provides a proposal that was submitted prior to the tabling of the report. He said staff felt this was promising. There has been ongoing negotiations with the engineering department to try to resolve this problem and he was going to have Mr. Wdowiak speak to council on this matter. He said from his departments perspective the servicing problem seemed to be the only obstacle with regard to recommending approval of this application.

Councillor Hendsbee said he has calculated and he has come up with a smaller percentage ratio. He said presently out of the 64 lots there are 42 R-1 and 22 R-2. He said if the 70/30 split is to be maintained it would require 45 lots to be R-1. He said he would suggest that perhaps it would require to get at least three more lots.

Mr. Morgan said the ratio is based on housing units. If approval is given to a lot to be zoned R-2 it would be developed with semi detached two unit housing. He said the practice normally would be to subdivide through the common wall later on. Each lot that would if approval was given for R-2 zoning would be two housing units. That is how the ratio was determined. He said if they used that plan area ratio for this subdivision and if every application had to come in and meet this ratio, for this application, only eleven lots could be granted approval.

Councillor Deveau asked if there were double service hook ups and cut ins on sidewalks. He asked if this was illegal.

Mr. Crooks said the developer undertook to install services not in accordance with the provisions of the subdivision by-law and, while there was nothing illegal preventing the developer from utilizing his land in that fashion, at the time was not in accordance with the requirements of the municipalitys subdivision by-law which, as the developer was advised, could have affected the developers entitlement to get subdivision approval as applied for.

Councillor Ball asked if the water pressure problem be there regardless of it being an R1 or R2. He said he feels that if you have a water pressure problem the number of units impacts on the pressure problem. He said if there is a problem then it is a problem regardless of the number of units.

Mr. Morgan said if booster pumps are installed in the basement of each residence they will be provided with adequate water pressure to the best of his knowledge. He said this was in discussion with

the county engineering department. The difficulty the department had with that is that essentially what they are saying is that this isn't a good solution. There is a risk here particularly as outlined in the report that when people are on municipal central services they do not expect to have to provide an upgrading system with their own residence. He said the criteria talks about municipal central services.

Councillor Ball said that council had recently approved capital funding for domestic booster pumps to the Lockview MacPherson subdivision as well as in relation to Cherrybrook. He said at that time council felt that it was an appropriate measure to address the concern of pressure. He asked if the 70/30 density ratio a community ratio or a neighbourhood ratio.

Mr. Morgan said what the planning strategy states that this is an overall target for the planning area. It asks, when viewing applications, to consider this ratio. He said there have been previous ones in Governors Glen and the his department has never taken the position that each application has to come in and not exceed that ratio. He said the surrounding context has to be looked at. One of the purposes of this ratio was to preclude the concentration of too much higher density in one area.

Councillor Ball said Mr. Morgan had said in the last part of his report that one of the primary reasons why staff rejected the application was in relation to the water pressure servicing problems.

Mr. Morgan said that was correct. He said the housing mix is a judgement call.

Councillor Brill said the report indicates that central services are installed. He said it is his understanding that a certificate to construct a water system in Timberlea Ashdale was issued by the provincial department of health yet the water pipes were laid at the developers expense.

Mr. Morgan said the services were installed before the municipality had given final design approval.

Councillor Brill asked if the water lines were inspected, if so by whom, when and why.

Mr. Morgan said a lot of the inspection is done by private engineering consultants. The procedure under the subdivision by-law would be that once final design approval was obtained for all the service specifications for the water and the sewer, a subdividers agreement was entered into between the applicant and the municipality. It lays out the terms and conditions under which the municipality would accept the services. It specifies the inspections that have to occur and the information that has to be

provided. He said this includes things such as video monitoring of the sewer pipes to ensure that there are no breaks in them. This has to be provided to the engineering department. In this case the services were installed prior to final approval being granted but subsequently subdividers agreement was entered into and the consultant of the applicant was able to provide sufficient information to the engineering department to satisfy them that the design and construction was satisfactory. That it complied with municipal requirements at which point the county endorsed subdivision allowing for the lots to be sold and developed.

Councillor Brill asked if this was all done without approval of the provincial department of health who have the authority to approve or disapprove.

Mr. Morgan said the final endorsement would not have been granted without the joint certificate of approval.

Councillor Brill said he is concerned that proper health and engineering procedures are not being followed which could end up causing the taxpayers of the county millions of dollars.

Councillor Rankin said the housing mix relates to the community, the district. He said the community being a collection of neighbourhoods. He said neighbourhoods vary. He also it does not necessarily follow that in every neighbourhood you try to get the 70/30. He said Timberlea in the estimation of the community that Glengarry Gardens is deemed to be very much a single unit community and it would not be against the spirit of the mix to have it as 80 or 90.

Mr. Morgan said there is discretion.

Councillor Rankin asked if it came out to be 80 or 90 would it be against the spirit of the overall mix in the community of Beechville/Lakeside/Timberlea.

Mr. Morgan some areas would allow for higher density.

Councillor Barnet asked if the lots in figure one on the lot layout are currently built on.

Mr. Morgan said there may be some.

Mayor Lichter said maybe Councillor Barnet could ask this of the applicant or his representative.

Mr. Wdowiak said regardless of the rezoning there is a problem in some of the areas in Ashdale as well as existing development on Fir Tree Lane and Sprucevale. He said with reference to booster stations the ones in Cherrybrook and Lockview were sewage booster pumps rather than water. He said the Armoyan Group have proposed

to undertake to guarantee the construction of a central domestic water booster system to augment margin water pressures. Although individual boosters would accommodate they felt that a better solution would be a domestic booster system. He said this would eliminate the need for individual pressure augmentation. He said it has been confirmed that the recommended fire flows can be achieved with this solution. He said they have reviewed the proposal for provision of fire protection with fire department and the indication received is that the operational requirements cannot accommodate the minimum requirements to uphold 20 psi.

Councillor Deveau said if the Armoyan Group produces the booster station would it suffice for that one project.

Mr. Wdowiak said it would suffice for domestic purposes only, the peak daily demands. It would supply that for Ashdale. By upsizing it would supply the peak domestic demands even in the CDD but the deficiency in CDD is that the fire requirements would not be met.

Councillor Deveau asked what would be required to provide sufficient fire protection.

Mr. Wdowiak said you would need fire boosting as opposed to domestic boosting. Fire boosting would provide the volumes of water at the required recommended 20 psi. The fire booster is also required to have alternate sources of supply and a generator in the event of power failure.

Councillor Deveau asked if that was an impossibility.

Mr. Wdowiak said it is not impossible the difference would be in the cost. A domestic booster would cost approximately \$60,000. A fire booster would cost approximately \$250,000.

Councillor Deveau asked if Mr. Armoyan had been approached with this information.

Mr. Wdowiak said he has and has indicated that a domestic booster is all that is required. He said it meets the requirements both for fire flow and the domestic demand for Ashdale Subdivision.

Councillor Deveau said Mr. Armoyan had agreed to build split levels. He asked if this would enable the pressure to be kept down or provide more pressure rather than a highly built structure.

Mr. Wdowiak said in areas of marginal static pressure going up another storey is meaning a reduction of pressure.

Councillor Rankin asked if there was adequate pressure at the present time and any remedy could not be made a condition of the R2 zoning.