

Mr. Crooks said if the rezoning is affected then the entitlement is to use and develop the land in accordance with the provisions.

Councillor Rankin said with reference to the top soil permits. Class five covers certain conditions. He said condition F says all liquid effluent, including surface runoff, shall be controlled and directed to a treatment plant. He asked how that determination was made that it would be going to a treatment plant when there was not an approved subdivision.

Mr. Wdowiak said he is not aware that a topsoil permit was issued. He said the actual construction of the infrastructure was begun.

Councillor Rankin said any blasting would imply adjustment of the soil and therefore would require application to a topsoil by-law.

Mr. Wdowiak confirmed this.

Councillor Hendsbee said the lots of corner of Ashdale required some blasting. He said there were problems of soil erosions and embankments falling down on neighbours. He asked if Mr. Wdowiak would foresee any problems that after any excavation of those particular lots that would require a considerable amount of blasting and excavation that there would be an embankment slipping onto the properties.

Mr. Wdowiak said he was not aware of it but it is a possibility.

SPEAKERS IN FAVOUR

Mr. Leo Brooks, Alderney Consultants, spoke in favour of the application. He said he had been asked to assess the domestic water situation at Ashdale as it relates to the R1 and R2 proposal. The R1 requirement for fire flows is 800 imperial gallons per minute. The fire flow requirements for R2 lots is approximately 1200 imperial gallons per minute. Through the analysis of the existing water system it is possible to achieve both those fire flows, i.e. the correct amount for R1 and the correct amounts for those proposed as R2. There is a problem with the domestic flows in the Ashdale area and they are proposing to install a domestic booster pump. That would be a large domestic booster pump which would be connected to the existing water line between the present tank and Ashdale Crescent. This domestic booster pump would serve a couple of purposes. It would ensure adequate domestic and pressure flows for the R1 and R2 lots and it would ensure an increase in the domestic water requirements and pressure requirements on the surrounding streets such as Fir Tree, Birch Dale, Spruce Vale and Fraser Road as well it would afford the municipality an opportunity to assist in increasing the domestic pressure and flows in the upper section of Charles Road.

Councillor Cooper asked with regards to the present application,

are his comments strictly with regard to those areas being sought to be rezoned at this meeting and don't apply to the CDD lands.

Mr. Brooks said that was correct.

Mr. George Armoyan spoke in favour of the application. He said they had a joint certificate issued in 1988 to their predecessors, MCH Properties by the Department of the Environment and the Department of Health. He said that was assigned to them in accordance with the law. He said this can be seen in the records. He said when Spruce Vale and Fir Tree Lane were developed by the previous developer it had certain construction work which had to be done on this Ashdale Subdivision. He said 35% of the work on Ashdale Subdivision was done in 1988/89 by MCH Properties and by Casavechia Construction who were a part of MCH Properties. He said that was already owned by the Municipality even though they had no easement over it. The system for both the sanitary and the water. This subdivision had received tentative approval in 1988 or 1989 and had received approval on the final drawings with one exception being the back yard drainage on some of the lots. The said the problem was that this agreement with the previous owner and the county engineering about doing drainage behind certain lots. The reason the previous developer didn't want do that was because he did not want to cut certain trees. He said they were all approved in 1989 with the exception of that.

He said they had to reapply because a two year period had passed since the tentative approval was received and according to the planning act once the two years has passed, and you don't get your final approval, you have to reapply again. He said they had started construction without getting the second approval because they thought there was approvals back in 1988 and there shouldn't have been any changes except that drainage in the backyard. He made reference to other developments that had been started in this current year that to his knowledge did not have approvals. He said their contractor, Dexter Construction, had received a topsoil removal permit as well as a blasting permit. He asked said he would like to know if staff is recommending this since they have tried to find a resolution to the water issue.

Mayor Lichter said the staff report was tabled with council by PAC indicating a public hearing to be held on December 13. At that time the recommendation was rejection. Mr. Wodowiak has explained with respect to the central booster pump to provide the necessary pressure flows to this subdivision only is not a hurdle. He said there is not an agreement in writing from the Armoyan Group with regards to this.

Mr. Armoyan said that since this issue was addressed he was under the belief that there was going to be a re-recommendation about the approval of this application. He said they have been working with staff to try an find a resolution.

Mayor Lichter said planning staff is not able to do that.

Mr. Arroyan said they had made their proposal over a month ago and they had received a letter concurring with their proposal today. He said this application was originally made on January 26, 1993. The purpose of that application was to rezone 41 R1 lots to R2. He referenced a map for council. He said through discussions with staff, on March 15th, they decided to reduce their request from 41 to 34 at the request of staff while negotiations were still on going. On June 2 staff indicated to them that the maximum that were allowed was 22 lots. On June 2, 1993 they amended their application. He said at that time they were told by staff that the only outstanding issue was the water. He said a staff report was prepared on October 25, 1993. He said staff indicated that they had no problem with the application with the only outstanding issue to be water. He said this was also concurred in a memo from Mr. Wdowiak to Mr. Meech dated November 8, 1993 which he referenced. He said they concur with staff findings and they try to adjust the last point that was outstanding.

He said there is quite a bit of demand in the metro area for semi detached housing. He said what they propose to do is introduce a new type of semi detached, a split entry. He said it is not a two storey but a split entry which is more compatible with the single family look. He said that there is a possibility that some two storey duplexes will be built. He said their market research shows that 90% of the units that have been built in the last year or so was split entry because they are more affordable and they are conducive to people who are buying their first home. They are a more affordable home. The location of these proposed lots are all internal within the subdivision. They do not abut any existing single family lot. He said they meet the 70/30 ratio and they believe it is on a neighbourhood basis. He said when the MPS was drafted there was more than 30% higher density. He said when they purchased the land the MPS gave them the option to come and work with staff to meet criteria. He said the only obstacle was the water issue. He said they believe that the existing booster stations will work for each house. He said to address that issue they have suggested that they will do a central domestic booster station at their own expense. He said they notified staff that they are willing to provide a certified cheque for the total cost of that if they were successful in this rezoning. He said some of the houses would not require any booster station, they only require it if they are two storey. He said this is shown on the endorsed plan of subdivision that was registered on October 1, 1993. He said they are willing to enter into an agreement on the only type of semi's they are allowed to build in that subdivision. He said they are willing to build a domestic booster station for that area at their cost. He said this will not only help their subdivision but the problem that exists on Spruce Vale Drive and some of the other areas. He said their solution is to address the overall area. He said this problem arose because a servicing boundary line

was established a few years ago without giving consideration to where the tank was built. He said there was a line drawn and they bought the land based on that line being inside the serviceable boundary.

He said people have to be given the opportunity to enjoy a home. He said even though people's incomes have not been increasing the cost to service and build homes has.

Councillor Rankin said the community of Beechville/Lakeside/Timberlea responded to the mix that was there that they decided to determine that the undeveloped lands would be R1 with exception of CDD possibility which would allow reduced lots. In Glengarry Gardens there is a CDD coming forward. He said he did not want council to have the impression that they did not want affordable housing. He said there is 800 acres in acres in the district that have been zoned CDD at 50/50. He said they want a range of housing that suits their interests not the interests of developers.

Mr. Armoyan said he has the same right as anybody. He said that right cannot be denied because the MPS is not specific about Glengarry saying you cannot have R2. He said he is following the rules. He said everything was built in accordance with the approved drawings and the systems were taken over. He said there are not many R2 lots available in Timberlea. He said if this application is not approved he feels it will be denying a lot of people the opportunity to live in an affordable house.

Councillor Hendsbee asked if the previous plan was approved to have R1 or R2's.

Mr. Armoyan said it was based on R1's.

Councillor Hendsbee said since this particular plan was approved under MCH as R1's there seems to be a question with regards to the ratio of number of R1 versus R2 lots.

Mayor Lichter asked Mr. Morgan for clarification. He asked if there was a first time negotiated number that was reduced and then reduced to the final 22.

Mr. Morgan said there was 41, eventually reduced to 33 and the final application is 22.

Councillor Hendsbee said there should be 45 lots that require R1 and 19 lots that are R2. He said perhaps lots 351 to 355 could be made R1. He said only three lots are required to make the 70/30 quota but the other two lots could be shifted elsewhere to maintain a street scape that might be consistent along the entire street. He said he believes the entire length of Ashdale should be R1. He asked, with regards to lots 322 to 326 that require blasting, what measures are taken with regards to the back portions of the

properties that the elevations of the grading of the property will not have any soil erosions or embankment slides in the future.

Mr. Armoyan said they work with their builders to build the houses and they try to ensure that there is either a retaining wall or something done. He said soil engineers are involved to determine what is required, how to slope it and what to do to be able to achieve that objective. He said they want to be able to build a house and sell it.

Councillor Hendsbee asked which lots have been developed and which lots have permits issued.

Mr. Armoyan outlined the lots on the map.

Councillor Hendsbee asked what the location of the water booster would be.

Mr. Armoyan said it would be next to the water tank on land that is owned by the municipality.

Councillor Hendsbee asked after it is constructed and operating the county takes over the operational responsibility.

Mr. Armoyan said they take the ownership after construction. He said he had received a memo from Mr. Sheppard with regards to the duplex laterals. He said the only alternative he had was to wait therefore he took the risk.

Councillor Hendsbee asked Mr. Armoyan if he would be willing to move the particular lots from Ashdale to another spot within the subdivision.

Mr. Armoyan said he will be willing to abide by the decision of council.

Councillor Boutilier said in the November 8th letter from the Engineering Department it was indicated that in the interim consideration for the proposal for Ashdale rezoning should be deferred unless an agreement can be secured with Mr. Armoyan that he is prepared to construct that system which is necessary to meet domestic and fire flow requirements. He said on the 29th a letter was sent from the Armoyan Group to Mr. Butler indicating that they were willing to undertake to build a central domestic booster to meet the domestic requirements. He said it was indicated on November 10th that Mr. Armoyan was prepared to do that. He asked if he was under the impression that he needed both the domestic booster and fire boosters.

Mr. Armoyan said his consultants said he only required domestic. The Engineering staff weren't exactly sure. He said they were eventually able to satisfy them that Ashdale requires the domestic.

He said Mr. Wdowiak concurred with this.

Councillor Boutilier said the letter had said the rezoning should be deferred until such time as to meet the domestic and fire flow requirements for existing developments. He said Mr. Armoyan had indicated that he was willing to undertake the building of the central domestic booster pump but there is nothing mentioned about the fire flow booster.

Mr. Armoyan said there was a letter attached from the fire underwriters. He said the letter said they did not require fire boosting only domestic boosting.

Councillor Boutilier said assuming that an agreement had been reached would it have been possible to include a planning report and amendment to be included for tonight's public hearing. He said he is under the impression that it would not have been possible.

Mr. Crooks said the law is not clear with respect to the submission of materials after the advertisement of a proposal for a rezoning and a staff report. Any subsequent arrangement, understanding or agreement that is reached after the advertising of the proposed rezoning and the availability of the staff report would be and should be treated in the same way as the proposal. That is to say the proposed agreement should be clearly identified to members of the public and a further opportunity provided for members of the public to comment on the proposal. He said the law or procedural fairness would require that members of the public have an opportunity to know about the proposed change to review it and to have an opportunity to comment on it.

Councillor Boutilier asking if knowing about it the night of the public hearing be sufficient in terms of the legal requirement.

Mr. Crooks said it is his understanding that the understanding that has been reached today he would not have thought there would have been reasonable opportunity for members of the public to know about that simply on the basis that the agreement had been reached today. He said he has not seen it and does not know whether planning staff have seen it and have been able to formulate a view as to whether or not it remains premature to rezone in the light of the agreement. That is something the planning staff would have to comment on. He said the point is that there would have to be a further opportunity for the public to see it and to comment on it.

Councillor Boutilier said this makes the discussion that has been held redundant because there is no written agreement and there is no knowledgeable either between Mr. Armoyan or the Engineering department. He said what is being discussed is something that exists verbally and is suggested from a letter. He said there is nothing concrete. He asked Mr. Armoyan, referencing his letter of November 29th, if he ever received any correspondence from the

municipality saying we understand you have agreed to do the domestic water booster however you still are negligent or haven't addressed the problem of the fire booster that is also needed.

Mr. Armoian said he received a letter, today's date, from Mr. Wdowiak agreeing with that proposal.

Councillor Boutilier said had all the loose ends been tied up before coming to the meeting council would not be facing this situation tonight.

Councillor Deveaux asked if there is a possibility that this hearing could be deferred if necessary pending that agreement being reached by the developer and engineering and brought back at a further date.

Mayor Lichter said the public is in attendance and council ought to give them a chance to have their say. After the public hearing is over on what is in front of council there are a number of options. The options are to approve it, to reject it or to defer it and have the engineering and planning staff reach a written agreement on that booster station issue and call a new public hearing and at that time the public be allowed to address only that issue of the entire rezoning but not the other issues they have had an opportunity to address. He said if the readvertised public hearing happens to bring down the number of lots then yes the public would be able to address that issue as well. He said only new parts.

Councillor Rankin said a CDD is not being examined here. He said if water pressure is to be addressed at the next hearing it cannot be made a condition of the rezoning. He said council would have to accept a promise from the developer.

Deputy Mayor Bates said this meeting is to find out what the public wants. He said he does not feel that it has anything to do with the number of lots or the 70/30. He said there are mostly single family and the developer wants to do something different.

Councillor Cooper said the procedure being used has indicated to the developer that the county is prepared to continue discussions regarding this proposal up to the last minute. He said he feels council should hear from the public present, bearing in mind the proponent has the opportunity for rebuttal, and also there should be clarification on some of the technical matters. He said he was under the understanding that as far as the R2 or the rezoning areas there is no technical difficulty. He said there is the fire flow and the domestic flow available.

Mayor Lichter referenced the letter of December 13, 1993 which reads "we have confirmed that IAO fire flow requirements and domestic water pressure for the Ashdale Subdivision, which is the

subject of a rezoning application, can be achieved by the construction of your proposed domestic booster station".

Councillor McInroy said it is his understanding that regardless of the zoning there is inadequate water pressure. He said it has become more of an issue than is warranted. He asked Mr. Armoyan if he could say what the proposed asking prices would be for the semi detached lots and for the single lots on those streets.

Mr. Armoyan said the lots vary depending on the topography and if there is rock. He said they can range from thirty thousand dollars to thirty four thousand dollars for a single family and up to thirty nine thousand for a semi detached lot. He said if council sought fit to defer until an agreement is signed they will voluntarily to sign an agreement to make sure that the booster station will be built not only to address their subdivision but also to address the area that lacks water pressure.

A resident spoke in favour of the application. He said the only objection to this application was the water pressure. He said that has been dealt with and Mr. Wdowiak says those issues will be addressed. He said that objection is answered. He said Mr. Armoyan is willing to put up a certified cheque. He said councillor Rankin has said the application cannot be approved on a promise, however, he feels it can be approved subject to getting the certified cheque. He said it can be dealt with this evening.

Mayor Lichter said council cannot grant a rezoning subject to conditions. Either council grants it or it doesn't grant it. He said should there be an agreement reached on the booster station between now and some other time, and council hasn't made a decision tonight, yes council then can, in the full knowledge that that booster station will be built, could either approve or still deny the application. He said council tonight could not make it conditional.

The speaker said he is not suggesting that the zoning be conditional, but rather that the approval be conditional. The approval to rezone. He said he disagrees with the interpretation of this rule by council. He said he is in favour of the application. He said he is in favour of anything that provides affordable housing. He said there are going to be more units built because of the R2 zoning which is going to create more jobs. He said it is going to improve the tax base and, in his experience, an R2 in an R1 area does not necessarily reduce the property values if it is done right.

Mr. Daryl Dixon spoke in favour of the application. He said he wanted to make council aware of some issues with respect to the water. He said back in the spring of this year he wrote several letters to the water utility and members of the engineering department to try to bring the problem of water pressure in

Glengarry to a head. He said after sending two or three letters he had asked the councillor to get involved to try and help set up such a meeting. He said the issue of water is something they have identified through the councillors letting them know the peoples problems. He said they would have liked to have dealt with this in May or June but it was as late as October before they could sit down and start talking technically about what is wrong. He said they are not sure what else, as private developers, they do except to come to owners of systems and ask them for assistance in trying to find solutions. He said when they did this they were not met with helpfulness. He said they feel it is a problem and would like to work towards a solution.

SPEAKERS IN OPPOSITION

Mr. Tom Knowland of Glengarry Estates spoke in opposition to the application. He said he bought there four and a half years ago under the understanding that their street would be the only street zoned R2. He said if he had know it would change he would not have bought a home in that area. He said most of the people on the street were told this when they bought their homes.

Councillor Hendsbee asked is it a covenant within the contract when he purchased the home that his street would be the only R2 street.

Mr. Knowland said when they bought their home there was a planning setup, like the one presented, for his street, the present area which was the Old Glengarry Gardens and new development in the area which included Ashdale Heights. All the homes were all registered as R1 with the exception of his street. He said that was the development plan he was shown in a model home when he purchased his home five years ago.

Councillor Cooper asked if the model home presented by the builders or the municipality. He asked where this indication came from.

Mr. Knowland said he was told this by a real estate agent. He said he has nothing in writing that says this but can only tell council what was in the planning. He said he is under the understanding that this planning has to go through council to be either approved or disapproved.

Mayor Lichter said that is what council is doing tonight.

Mr. Knowland said if that was a proposal when he bought his home it would have had to go through council at that time for them to show him a plan such as that.

Mayor Lichter said the Land Use By-law affecting that plan area definitely showed this section being dealt with as R1. He said it is quite proper that whoever showed him the plans would have shown R1 at that particular time. Had it shown R2 at that time it would

not be here.

Mr. Knowland said he realizes this and he said his point is he would not have bought in the area if the ones being asked to be changed had been listed as R2 at that time. He said he had been told they were R1 and that is why he chose to buy in the area.

Mr. Derek Cann, 53 Lake High Crescent, Governors Glen, spoke in opposition to the application. He said he lives in a semi detached home. He said they have had rough experiences with this developer and with the process council is going through tonight. He said he has lived in the subdivision for three years. He said the councillor is aware of their problems and has worked with them to try and resolve some of them. He said he visits and phones the municipal offices to keep in touch with what is going on in the Timberlea area. He said when he spoke with them about Governors Glen he was told that Governors Glens problems are peanuts to what is being seen in Ashdale and his subdivision. He said as a result of the experiences they have gone through he felt it warranted telling council. He said Mr. Armoyan stated that about 90 to 95 percent of the building has been R2. He said if you looked at Timberlea as a whole the Armoyan Group has been responsible for the vast majority of that R2 development. He said if you looked at his subdivision there have been a minimal of R1 lots developed in there. He said for the last three years there has been repeated continual applications to the county to increase the density of the developments in Timberlea and specifically in Governors Glen. He said each time it is turned down it has been appealed to the Nova Scotia Municipal Board and when turned down again a smaller portion of the original application is made to see if that gets through etc. He said it is presently in excess of a 70/30 mix in Governors Glen. He said it may be more like 60/40 in favour of R2's. He said when looking at the housing mix 70/30 for the planning area that is district 2. He said if the county is not going to say lets meet the target in future developments being built how will the county ever get back to the original target that was put in the MPS. He said if some are approved and the developer can carry on and build then it is exceeding the limit. He said it is over the target at the present time and nobody seems to take any positive actions to try and reduce that. He said he is not saying that semi's don't have a place in the community. He said through more positive construction from the developer and some reversal of decisions made by council then they would have a very good subdivision instead of just a good subdivision.

He said with regards to the promises about water the lawyers would confirm that this is not binding. Around 1988 there was some zoning from R1 to R2 in his subdivision. He said a group for Phase 3 was turned down because of density of traffic and they did not want to have a number of R2's in there that the Armoyan Group was proposing. He said the solution was that the Armoyan Group said they would put in a second exit. He said the second exit concept.

was debated in chambers and was questioned whether or not it was legally binding. The mayor at that time said it was not legally binding however in good faith this contractor and this developer will go and live up to his honour and at the required time there will be a second exit put in Governors Glen. He said when asked when that would take place the statement was that at about 85 or 90 percent in the subdivision they would put in a second exit. He said they are beyond 80 or 90 percent developed and as recent as six months ago, the mayor, on their behalf, asked the developer and his representatives "will you be going ahead with this second exit as promised several years ago". The answer at that time was "we do not have intentions of going ahead with a second exit at this time unless you give us the further R2 zoning that we want". He said that is the way it has been for the last four or five years with their subdivision.

He said with regards to the affordable housing it is very nice but the fact is units are selling so there are people building them. As long as the units keep selling at the rate they are why would any developer build anything but semi detached homes of this nature at this price. He said, in his opinion, the question of these buildings to please the market is not the case. He said he feels that you will see in Governors Glen wherever there was rock that had to be blasted away the choice was to build on top of it and not go and break the rock and put it down. He said if you look at the architectural requirements in the MPS for subdivisions it does not want to see the homes be one up one down etc. He said that is what you see in Phase 3 of Governors Glen. He said where a bungalow was sold on an R1 lot the bungalow on slab was built and right next to it there is a two or three storey semi detached home on both sides. He said it is an eye opener if you go inside the subdivision and see just how things progressed. He said he feels council is very reluctant to refuse the developer when he says he is bringing in tax dollars and providing the community with affordable housing.

He said mention was made about covenants and restrictive covenants and when he bought in Governors Glen there was a restrictive covenant on construction. He said there were minor things such as having brick on the front of your home, certain lot size. He said if you go in there there is nothing exceedingly extravagant. He said when the opportunity came along for the developer to enter into a purchase agreement with an individual contractor to go and flood the area and buy the remainder of the lots that were available that covenant was thrown out the window. He said that covenant has no basis in law right now.

He said they have a homeowners association. The reason that association exists today was because they were not pleased with the way the developer was progressing in their subdivision. He said once a lot was sold the developer no longer was responsible. He said since the time the subdivision was built and since he has been living there they have approached the developer on numerous

occasions asking for simple things, such as the sod on the side of the road be in place, dangerous cliffs be fenced in, that some of the covenants be honoured, consider a tot lot etc. He said what you will find is that other than meeting the bare minimum requirements that the county has set down there has been nothing else given back to the community. He said there are no sidewalks, no pedestrian walkways. He said other than fourteen feet of useable water frontage there is no community water frontage whatsoever. He said the main reason for this is that homeowners bought along the water frontage. He said there is about two hundred feet of water frontage that was set aside for playground. He said 180 feet of that is sheer cliff. He said because of the example in Governors Glen and because of the application they, as an association, made to the county they have amended those by-laws which regulate the allotment of green area or playground area in subdivisions. He said right now they have a swamp and for the five years it has existed no one has moved a stick of wood on nor anybody walks their dog on or no children go in there to play unless they are looking to get into some trouble. He said it is not useable. He said the developer has refused to allot any further land in the existing subdivision for such things as tot lots.

He said another problem they had was the construction quality. He said the people who are moving in do not have the option of a basement. He said not all R1 have the option of a basement but they have more useable living area than these homes are providing. He said there are open ditches where the requirements for the county have been that the drainage has to be provided then it is not sodded in. He said there are open gravel ditches and pits. Open culverts. He said they are happy to be in their subdivision but there are is a large grey area here where, in his opinion, the developer was solely responsible for this and when he entered into a purchase agreement there was no more regard for the quality after that. He said in their subdivision one of the contractors which bought and was developing under the Armoyan did blast without a permit. He said eight of the homes had due to the construction problems had their domestic water pipes freezing inside the house. He said he hopes council takes into consideration the track record and broken promises of this developer. He said he is speaking on his own behalf and not as part of an association. He said they don't expect a second exit nor do they expect any great amount of influx of money to be spent for such things as tot lots or playgrounds.

He said it is very attractive for first time buyers to buy the units being built in their subdivision. He said the remainder are the semi splits. He said they have found in their subdivision that you only see the portion of the subdivision which the real estate people want you to see. He said if you don't take the initiative to go to the registry of deeds or zoning office they will not tell you. He said right now semi detached homes are being built and

although they are affordable to individuals now some of the contractors who are building those homes are saying "why don't I build it myself, why don't I buy it and rent it out". He said there are approximately ten units in his subdivision that are now being rented. He said this is not a slur on people who rent but that is simply that you can expect that at that price some of the subcontractors are doing it. He said it is very attractive for them to rent those out. He said on occasions people who are renting do not go and beautify the exterior of their homes and they expect the people who own those units to do this.

Councillor Boutilier said he would like to ask that for the rest of the public hearing speakers keep to the application. He said he believes that this is not the forum to get into a public flogging of any developer. He said he does not feel it is necessary to make a decision on this issue where you have to look at the past and present history of some developer. He said council is here to discuss this particular application as stated in the staff recommendation.

Councillor Deveaux said there is a controversy in his area at the present time and a development agreement between the municipality and the developer is a legal agreement and there is protection under that. He said under an ordinary rezoning there is no commitment for a developer to do any more than the basics. He said you are going to run into those problems under those circumstances.

Mr. Mike Wallace, Charles Street, spoke in opposition to the application. He said this development has just taken off. He said the planning department had certain rules and guidelines to follow by a developer, the applicant has his own rules. Nothing was approved. He said they started in early April doing blasting which lasted all summer. He said the double laterals were put in. They were not inspected by engineers from the county. He said they were inspected by Alderney Consultants who are hired and paid by the Armoyan Group. He referenced a letter from Paul Morgan to Daryl Dixon of the Armoyan Group dated August 5th which said that laterals were installed to service semi detached housing which were not shown on the servicing plans which were received for final approval on July 22nd. He said he has lived in Glengarry Estates for seven years and the land known as Ashdale Heights was zoned R1 and has been for a long time. He asked why a developer would want to come in and turn it into an R2. He said this is because he can double his dollar. He said the developer put the double laterals in with his own money. He said there is already an overcrowding of schools. He said a new elementary school opened three years ago and it was full at that time. He said grade six students had to be sent to the junior high school. The Bay Road is getting very busy with a lot of bad accidents on it. Everything in this Ashdale Heights development went against grain with no approvals whatsoever. He said the developer went to far as to advertise semi detached housing as early as the end of August and it was still

zoned R1. He said they are not against duplexes but if they are going to build them build nice ones to correspond what they presently have.

Councillor Ball asked Mr. Wallace that from his point of view it is not the Ashdale Subdivision but the R2 development that he is concerned about and not the single family homes.

Mr. Wallace confirmed this.

Councillor Ball asked him if he was concerned about the water problems.

Mr. Wallace said he was concerned and he does see it as an issue.

Councillor Ball asked if he would still see it as an issue in an R1 zone.

Mr. Wallace said a booster pump is a band aid solution to a problem. He said a power booster station is what they need but this will come with the CDD. If a power booster pump in a single family home is not good enough for the CDD, which will require a power booster station, then why should it be good enough for Ashdale Heights.

Councillor Ball asked if he was not being a little presumptuous. He said that has not been brought forward.

Mr. Wallace said that it is his understanding that a power booster station is going to be part of the CDD.

Councillor Ball said council has not seen a CDD. He asked if Mr. Wallace would like to have a moratorium on construction in the Timberlea area because he has suggested there are many problems with density and overpopulation etc. He asked if Mr. Wallace was suggesting that a stop be put to any development in the Timberlea area.

Mr. Wallace said he was not, just the kind of development the residents would like to see.

Mayor Lichter asked how far away is Glengarry Estates from this Ashdale development.

Mr. Wallace said he lives on 49 Charles Street and showed the mayor, on the map provided, where he lived in relation to the development. He said he has a soil erosion problem. He said storm sewers and drains were put in but it is in an above ground trench which has no stone and is filled with straw. He said it is an open faced storm drain.

Councillor Rankin said Mr. Wallace is involved with the residents

association and they are not involved with the CDD application. He asked Mr. Wallace if he was anti affordable housing.

Mr. Wallace said he was not.

Councillor Rankin asked if he was prepared to cooperate with the CDD.

Mr. Wallace said he was prepared to do this.

Jeannette Pelley, Charles Street, spoke in opposition to the application. She said she has nothing against people who live in duplexes. She said there are people present at the meeting who live in duplexes but don't want any more duplexes. She said it appears from the staff report that the issues the residents would consider important they would not consider important in deciding this application such as the over crowded school. She said there is increased traffic in the neighbourhood. She said there is only one entrance and exit to that subdivision and should anything ever happen it could present a problem. She said there is also a water runoff problem. She said Ashdale Heights is at the top of a hill and the water running down ends up in Frasers Lake Nine Mile River eventually. The lots that are going to be developed in Ashdale are somewhat smaller than the ones that are already in the subdivision. She said this presents a problem for children with regards to having small yards. She said Glengarry Estates has a serious inadequacy when it comes to recreational facilities. She said there are only two jungle gyms for playground equipment. She said one of the major reasons that the application can be rejected is the water pressure. She said if pressure boosters are put on these new homes will it affect the existing ones. She said there is also the worry that if there were a fire if there is adequate pressure in the fire hydrants. She said a home is your biggest investment and you don't want someone come in and put up something that is going to devalue your property. She said they are not against development but there are enough duplexes now.

Councillor Ball asked if she was meaning there were enough duplexes within the community or the neighbourhood.

She said both the community and the neighbourhood.

Councillor Harvey made reference to the drawing provided which shows duplexes. He asked if she felt duplexes devalued her property.

She said she does not feel there is any guarantee that those duplexes are going to look like the drawing.

Councillor Harvey said there is no guarantee that an R1 property will look a certain way either.

She said no but if a property is going to be sold for \$120,000 it should look like something.

Cathleen Blowser spoke in opposition to the application. She said there are people on Charles Street who, when they turn on the washing machine, cannot get a drop of water from their kitchen tap. She said that is a severe water problem. She said they moved to the area because they like it the way it is, uncrowded and single family dwellings mainly. She said there are some duplexes. There is a street that is included in Glengarry Estates that is all duplexes. She said Ashdale Heights is inside the subdivision of Glengarry Estates. She said everyone has to drive in the same entrance to get there. She said they have nothing against development but they don't want to have an overcrowded neighbourhood. In allowing the construction of higher density housing would create that over crowded atmosphere. She said they feel this is not a healthy environment. She said when she asked Mr. Paul Morgan what was meant for the target area with regards to the ratio. She said it was set out for the plan area which is Beechville/Lakeside/Timberlea. She said it is not Ashdale Heights or Governors Glen but for the community. She said according to the 1991 census they are currently at a balance of about 57% single family dwellings only. She said she has since been advised by Paul Morgan that their staff has done a survey and that has dropped again to somewhere between 55 and 56 percent single family dwellings. She said it is way off the target and when is this going to stop. She said what is the target there for if it is not going to be made. She said she does not feel that the building of large number of duplexes should be allowed without keeping that target in mind. Recreation facilities are practically non existent in their area. She said there is very little play area and with the proposed infill project there will be even less space for children to play in. She said there has been a problem with theft and vandalism. She said some of it may be attributed to the fact that it is getting overcrowded and there are not a lot of facilities for the people that live there. She said they are not against development and there is a need for R2 housing. She said Mr. Armoyan said that work had been done in that area in 1988. She said she has been living there since 1988. She said that road was cleared through this spring and the trees were mowed down. She said she does not know where the 30% comes from. She said that work as far as she can see was done from this spring onwards. She said they would like to ask council to think ahead to the unhealthy environment that will be created in Glengarry Estates by allowing the construction of more duplexes in that area. She submitted a petition in opposition to the application.

Heather Gillette spoke in opposition to the application. She said she moved from the City of Halifax to Glengarry Estates over a year ago. She said she and her husband are first time home buyers and they chose this area because they considered it to be the ideal spot both for an area outside the city yet close enough to still

use its amenities. She said they were attracted to Glengarry because of its quiet slow pace with lots of trees and space. She said they bought their home on Birch Dale Avenue and they had full knowledge of the fact that there would be an extension of their street but they did not realize that there was going to be a rezoning from R1 to R2. She said this defeats the purpose of their move.

Ron Blowser, Birchdale, spoke in opposition to the application. He said after all that has occurred in their neighbourhood the residents of Glengarry Estates have signed a petition opposing the rezoning of Ashdale Heights. He said council had been elected to represent the will of the people. He said they are here to let council know what their will is which is to reject the rezoning application. He said he decided to live in Glengarry Estates because of its country atmosphere and the space between neighbours. He said if this gets approved it will turn into another Governors Glen. He said in developing the streets the developer did not show a lot of interest in saving any of the trees.

Councillor Deveaux asked how far from Ashdale would he be living.

Mr. Blowser said he lives in Glengarry Estates Subdivision in a single unit dwelling.

Councillor Deveaux asked if that was under a Development Agreement.

Mr. Blowser said it is all R1.

Mr. Terry Dolan spoke in opposition to the application. He said he and his wife lived on Richard Street in Glengarry Estates for about approximately twenty years. He said they knew back then that the area was going to be developed. He said they are not against development but there are some things that have to be taken into consideration with allowing a higher density into district 2. He said the community is not just Glengarry or Ashdale it is district 2. He said a new elementary school was built to accommodate the community of district 2 and upon completion was overcrowded immediately. He said be allowing even 22 R2 sites in Ashdale what you would be adding would be 22 more families which would mean young children going into elementary school. He said if that number is allowed to go into that small portion of the community it will impact immediately on environment, traffic flow, etc. He said this goes far beyond allowing Mr. Armoyan "X" of R2 lots in a small area of a small subdivision of the total community. He said this would impact on the whole community in a very short period of time.

Bruce Hailey of Spruce Vale Avenue spoke in opposition to the application. He said the Mr. Armoyan says that it won't depreciate the value of homes in there. He said he lives in a three storey semi and if two storey semi's are built it is a lot cheaper for first home buyers who are looking for semi's to buy a two storey

rather than a one storey. He said people who have bought their first homes and put the money out are facing cheaper homes going in and cutting what they have put into their homes. He said the people who live in this subdivision want the 70/30 mix.

REBUTTAL BY APPLICANT

Mr. Daryl Dixon spoke to council. He said with regards to the installation of the R2 laterals. He said upon receipt of the letter from Mr. Morgan he responded indicating that laterals for R2 units have been installed on all lots presently being requested for R2 zoning. He said he references Mr. Sheppards comments with respect to this not being done. He said Mr. Sheppards letter of June 3, 1993 stated "for example the presence of double laterals for each lot for water and sanitary sewer might not be acceptable if the lands remain zoned R1. While the installation of single lateral servicing might be the basis on which this department would recommend against the zoning for R2". He said upon receipt of this letter they were perplexed as to how to proceed and felt financially that it was cheaper to go back later and do some capping, etc. versus not doing it at the time.

Councillor Ball said he would like see the letter circulated to council.

Mr. Dixon said with respect to the comment on advertising of semi detached prior to the rezoning. He said some advertising was done on the site for semi detached part of this rezoning by the real estate company. He said there was no direction given by the Armoyan Group. He said when they became aware of it they asked the real estate company to remove the sign.

Mr. Crooks said the only question of constraint which would happen would be a concern on the part of the individual doing the advertising is whether or not the consumer protection act might have some application in the circumstances if in fact what was being represented was not able to be delivered.

Mr. Dixon said there was a question raised about existing services. He said a water line which feeds Fir Tree Lane had to be installed from the reservoir. He said when that was done Casavehia installed all the sanitary and storm and water line. He outlined the area, on the map provided, for council.

Mr. Armoyan said they bought the land approximately a year ago. The land was bought from the previous developer and they bought it based on their understanding of an MPS and a zoning plan. He said the 70/30 came in 1992 with the approval of the new MPS. He said it is not the policy of the county engineering department to inspect pipes. They rely on the consultants certificate. He said they get four or five thousand dollars more for an R2 lot versus and R1 lot. He said they only do it because the market demands.

He said there is not much of a financial improvement on their bottom line. He said they try to satisfy the market and address the market. He said they can sell them quicker because there is a demand. He outlined the area to be covered by the proposed booster. He said it is cheaper for them to not develop that small portion of land that is in the CDD than to build a big major fire pump. He said they have letters from the school board seeing no problem. He said the Department of Transportation saw no problem with the traffic that may be caused by this rezoning. He said 90 to 95 percent of the semi's in the subdivision are being built new and he showed a rendering of the proposed homes. He said the tree cutting was to create drainage swales on the back of all these lots. He said he feels this is good for the community.

DECISION OF COUNCIL

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

'THAT HALIFAX COUNTY COUNCIL REJECT THE REZONING APPLICATION RA-TLB-02-93-02 FOR ASHDALE''

Councillor Rankin said as councillor of the area it has cost him quite a bit of anxiety because this was not a typical application. He said there was an abuse of the process. He said the developer showed unreasonable and foolhardy contempt for the rules of the county and the community. The water is one of the primary concerns but he offers booster station. He said he feels there is not good faith here in relation to the process. He said the community is not against affordable housing and he is not against affordable housing. He said in 1992 the community identified a large acreage of 800 acres previously zoned R1 and put a CDD on it in order to create affordable housing such that 50% would be multiple. He said this shows a lot of leadership in affordable and the community wants, in return for a CDD, a planned community. With this application the community is not getting some of the things it would with a CDD. He said there is ample opportunity in district 2 for affordable housing. The CDD itself shows the scope of affordable housing possibilities in district 2. He said 50% would be the equivalent of the population of Beechville/Lakeside/Timberlea presently. With the CDD the community will receive a planned community in relation to designs, sidewalks and any other amenities. He said affordable housing does not have to be unattractive, but it ought to be controlled. He said it is not appropriate to take the water pressure into account in relation to the rezoning because it cannot be a condition of a rezoning. He said the community should have a say in what the neighbourhood should look like.

Councillor Ball said the residents who are here tonight live in the area. He said the portion of land that is being proposed to be rezoned is R1 and it was R1 when they purchased the property so that they were aware of what the surroundings were going to be. He

said he feels council has to listen to the residents who currently live in the area. He said the density has to be looked at. He is concerned about the water problems. He said what bothers him the most is the premature installation of the laterals. He said the developer chose to ignore the rezoning application and put in the lateral services in the anticipation of receiving the approval of that rezoning. He said he does not believe that the letter from Mr. Sheppard says do this or do that. He said it is his feeling that what was said was let the rezoning go through the process and if the rezoning is approved then you can install the appropriate laterals. He said there was an assumption. He said the process has to be followed and he feels that in this circumstance the process was somewhat violated and as a result he will vote in favour of the motion.

Councillor Cooper said there has been talk about the process that has been followed. He said he has difficulty with the process. He said council had a report that enabled staff and the developer to continue negotiations after this was tabled and recommended for public hearing. He said there are a number of letters which are ambiguous and could be interpreted a number of ways. He said there is a very small area that the decision is to be made on and he feels that one of these has been corrupted by the process that has been followed. He said he does not feel there has been adequate or justifiable opportunity given with regard to the water systems and the items that have been attached as not being adequate with it being indicated to the developer that there had been a solution possible. He said on that basis and the fact that council has a report that indicates that it meets most of criteria of the plan that unless that final item is handled in a justifiable and just manner he does not feel proper service is being done to the municipality as a whole. He said he would move a motion of deferment until the item is readvertised and brought back or some solution is found because of the procedures, letters, etc. that have been involved in this process. He said he does not feel that the municipality is adequately handling this and those items should have been addressed before coming to council

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

"THAT THIS BE DEFERRED TO JANUARY 31, 1994"

Mr. Crooks said in his opinion it is possible to defer the decision which council is required to take on this application particularly to the extent that the deferral is on the basis that there has been reference to a possible agreement relating to the matter of water and the understanding which is part and parcel of the deferral motion is that there would be an opportunity for members of the public to review and in fact to comment on that limited matter at the further meeting of the council to be held to consider the matter on January 31st.

Councillor Rankin said based on the evidence that has been brought forward council can make a judgement now on the pressure or lack of pressure on the deficiencies of the application.

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

"THAT THE DECISION OF THE CHAIR TO ACCEPT THE DEFERRAL MOTION BE CHALLENGED"

MOTION TO CHALLENGE DEFEATED

MOTION TO DEFER DEFEATED

Deputy Mayor Bates said for council to approve this, in his opinion, would be a violation of the rights of the people. He said council is not dealing with a CDD but with a situation where a developer comes in and the land is all zoned R1, he picks a small portion of it and tries to impose his will on the people. He said the people have rejected it. He said he is not concerned with the 70/30 or water or anything else but with what the people want. He said the people bought their property with the intention that they would have an R1 home and that is what would be surrounding them.

Councillor Boutilier said this public hearing will be based upon the fact that the majority of the people do not want R2 in their subdivision.

Councillor Brill said he has discovered that the provincial department of health has concerns with regards to the water.

Councillor Deveaux said from the evidence brought forward he does not believe it is the developers fault that the booster was not brought to a successful conclusion. He said if it was a CDD there would be a lot more protection. He said where this case is a blank approval to change an R1 to an R2 then he will not be able to support it and he will be voting in favour of the motion.

MOTION CARRIED

Mayor Lichter informed council and the public that this application can be appealed to the municipal board and there is the possibility that the decision of council may be overturned.

CDD-EP/CB-01-88-06 - APPLICATION BY WALLACE, MACDONALD AND LIVELY ON BEHALF OF ANAHID INVESTMENTS LIMITED TO ENTER INTO A DEVELOPMENT AGREEMENT PURSUANT TO THE COMPREHENSIVE DEVELOPMENT DISTRICT (CDD) IN ORDER TO PERMIT A RESIDENTIAL SUBDIVISION DEVELOPMENT ON AN APPROXIMATELY 130 ACRE PARCEL OF LAND LOCATED EAST OF THE CALDWELL ROAD AND SOUTH OF THE COW BAY ROAD, IN EASTERN PASSAGE

Mayor Lichter said the public hearing on this issue was held on

November 22, 1993.

Councillor Deveaux said he would like to make a decision to defer the decision on the CDD.

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

'THAT THE DECISION ON THE CDD AGREEMENT BE DEFERRED UNTIL
JANUARY 18, 1994 COUNCIL SESSION"

MOTION CARRIED

10 IN FAVOUR

4 AGAINST

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

"THAT A TENTATIVE PUBLIC HEARING DATE BE SET FOR JANUARY 31, 1994 TO CONSIDER A REVISED CDD AGREEMENT; STAFF AND THE APPLICANT TO INVESTIGATE WHETHER OR NOT CONSENSUS CAN BE REACHED ON A NEW DRAFT AGREEMENT. FURTHER IF AN ACCEPTABLE SOLUTION CAN BE FOUND A REVISED AGREEMENT WOULD BE TABLED WITH PAC ON JANUARY 10, 1994 ALONG WITH THE APPLICANTS OFFICIAL WITHDRAWAL OF THE CURRENT AGREEMENT. THIS REVISED AGREEMENT WOULD BE CONSIDERED BY COUNCIL ON JANUARY 31, 1994. IF AN ACCEPTABLE SOLUTION CANNOT BE ARRIVED AT COUNCIL WOULD CONSIDER THE CURRENT AGREEMENT ON JANUARY 18, 1994"

Councillor Ball said he would like the record to show that the applicant has stated that he will not withdraw his current application until such time as he has staff support for a revised one. He said also efforts to revise the agreement are being carried out at the initiative of the applicant and the district councillor to achieve an agreement which may be more acceptable to the community. He said the focus of revisions would be on the elimination of the 36 foot lots only. He said he wants this for the record because he does not want in any way for this to be misunderstood as being county staff initiating or dealing with it. He said put forward a proposal whereby they felt comfortable with the CDD. He said he personally question what form the elimination of the 36 ft. lots will take.

Councillor Sutherland said he was of the opinion that council was close to a decision on the CDD but there had to be a few qualifications made. He said the will of the people was strongly represented and the developer was agreeable to some modifications. He said the application could have been withdrawn.

Mayor Lichter said it could have been withdrawn and started from scratch. He said modifications to the CDD could not have come forth to this meeting because that is not what the public hearing was held on. The motion put by councillor Deveaux is basically

saying either modifications improvements to the CDD are going to be found by a date and then a public hearing is going to be held on that or council is going to make a decision on the original public hearing and application.

Councillor Giffin asked if the other two pieces of land in question to be zoned had any bearing on this hearing.

Mayor Lichter said the other two pieces was necessary to have the entire block in the CDD designation. He said the CDD public hearing held on the 22nd of November referred to the entire parcel. There was a technical difficulty and that is why a decision could not be made.

Councillor Giffin said if the councillor from that area wants to have a deferment to solve a problem that will help his people then he can support it.

Councillor Ball said he is having difficulty with regards to whose standards the improvements are going to be based on. He said he does not like the fact that the applicant had staff support for a revised CDD. He said he feels this is putting staff in a precarious position of staff having a difficulty but then staff gets the blame for something that they should have blame for. He said he feels council should have voted on the CDD one way or the other or the applicant should have withdrawn and started over. He said it is arguable that the 36 foot lot is the one that is questionable. He said he believes, personally, after listening at the public hearing that the residents want R1 zoning. He said the improvement could create more lots at a greater density than what is originally being proposed. He said he does not want staff to be perceived or prejudged as to what they are going to come back with.

Mayor Lichter said the CDD was recommended by staff for approval. He said if staff agrees to make that CDD better they are not going to be in any more difficulty than they were for the original recommendation of the approval. He said if the councillor for the area believes that there can be a solution found that is going to serve is people better than a possible approval of this particular CDD, lets give him the time to explore those possibilities.

Councillor Deveaux staff is not going to be held responsible. He said staff may turn down any agreement he or Mr. Armoyan want to propose and if that is the case then the original plan will be for approval.

Mr. Crooks said the second motion envisages in effect a new application and a new agreement. He said it is not a matter of revising the existing draft which was presented by way of public hearing previously and is being dealt with on January 18th. He said in effect there are two parallel applications underway. He said this is not revision to the previous one. The council is

committed to dealing with the previous one on the basis of that hearing with perhaps some minor modifications along the lines identified by staff. He said, as he understands the intent of the motion, it is in no way committing council to the advantages, disadvantages, appropriateness or inappropriateness of doing that or indicating that that is the issue which would resolve whatever outstanding issues remain. He said he would like to confirm that that is the intention that consideration be given to amending that portion of the motion simply to provide staff and the applicant to investigate whether or not consensus can be reached on a new draft agreement so that there is no commitment to a specific change or proposal which might be taken to imply that council is in some way endorsing that as being the issue that needs to be addressed.

Mover and seconder agreed that the wording of the motion reflect this.

MOTION CARRIED
13 IN FAVOUR
3 AGAINST

ADJOURNMENT

It was moved by Councillor Barnet:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

Note: These have already
been completed

MINUTES & REPORTS
OF THE
THIRD YEAR MEETINGS
OF THE
FORTY-FOURTH COUNCIL
OF
HALIFAX COUNTY MUNICIPALITY
JANUARY COUNCIL SESSION
TUESDAY, JANUARY 18, 1994
&
SPECIAL COUNCIL SESSION
JANUARY 26, 1994

Committee of the Whole

5 JAN - 17 / 94

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COMMITTEE OF THE WHOLE

January 17, 1994

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

ALSO PRESENT: Dale Reinhardt, Acting Municipal Clerk

=====
The meeting was called to order at 6:00 p.m. Mr. Reinhardt
called roll.

PLAN REVIEW PROCESS

Mr. Jim Donovan made the staff presentation. He said after presenting the draft plan and by-law to council they will then proceed to recommend to council the holding of a public hearing. The MPS and Land Use By-law has been an on going process that was initiated in 1987. Up to the past year, the process was largely overseen by the plan review committee in keeping with the public participation program for plan review that was adopted by council in 1987. With the restructuring of councils committee structure the responsibility for plan review over the past year has fallen primarily to planning advisory committee and, to a large degree, the planning advisory committee has relied upon advice and direction provided by the Sackville Community Council.

He said the package being presented at this meeting provides a summary of the public participation process starting with the description of a survey that was distributed to all households in 1988. In addition to that there was a total of one hundred and sixty two meeting held involving the Sackville Plan Review process. Of these meetings there were three public meetings, a

kickoff meeting held by the plan review committee in January of 1988, a special meeting held by the Sackville Community Council to discuss the issues relating to Flood Plain zoning on the Little Sackville River. He said that was held in March, 1993. A culminating meeting held by Planning Advisory Committee in November, 1993 to present the draft. He said there were nine evening meetings held in council chambers between the years 1988 - 1990, by the plan review committee, to receive submissions from the public. There were two open house information session leading up to the November 4th Planning Advisory Committee meeting in Sackville at which a synopsis of the draft plan and by-law was made available residents of Sackville. One hundred and ten meetings were held by either Plan Review Committee and Planning Advisory Committee at which time the Sackville plan review process was discussed. In addition to that, and essential to the process, were thirty two meetings held by a local planning group that was acting in conjunction with the Sackville Community Committee to review the present one and to recommend changes to it. These changes were then taken into consideration when drafting the new documents. Eleven of these thirty two meetings were attended by planning staff. There were six meetings that staff attended with community council between October of 1992 and August of 1993 to finalize the draft plan and by-law for presentation to Planning Advisory Committee. All of the meetings were open to the public. Advertisements were placed and notification was given through local newspapers, radio, church and community groups.

He said the process has taken six years to get to the present stage which is recommending that a public hearing be scheduled and held on the plan and by-law.

OVERVIEW OF THE REVISIONS TO THE MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW FOR SACKVILLE

Susan Corser gave the staff presentation. She said the first planning strategy and zoning by-law for Sackville were approved in 1982 and these documents have been used since that time to guide land use development in Sackville. Since 1982 the community has grown and developed significantly and it has therefore become necessary to review the 1982 documents to ensure that they are relevant with current community objectives and goals.

She said in the document there are a number of new policies as well as a number of items which are currently in the 1982 plan which have been revised to reflect current situations. The documents have been prepared in consultation with the community and community council.

She said the overall intent of a municipal planning strategy is to guide and regulate development and to outline how the