

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

Mr. Crooks said that the application for the CDD was withdrawn by letter on June 28, 1994.

Mayor Ball said, in conjunction with this, Mr. Armoyan wanted an opportunity to address council.

Council agreed to hear Mr. Armoyan.

Mr. Steven Wallace spoke to council. He said they made application approximately one year ago to have a CDD district established on approximately 67 acres of land in Timberlea. The total project represented the 330 units single family single detached. He said they spent the last twelve months negotiating with staff for a development agreement and that process extended over a number of months beyond what was anticipated going into the project. He said as the 1994 construction approached they were faced with the situation where they wanted to have their bases covered so an alternate plan was prepared to be process through the as of right subdivision process. At that same time some detail design on the CDD took place and tenders were called. He said it came from that that the economics of a portion of the CDD concept were not feasible. He said they submitted an alternate plan to the development officer for subdivision approval. He said the development officer indicated to them that they would not process that application while the CDD application was before PAC. He said they disagree with this and see the CDD process as a rezoning process and the as of right subdivision process is a separate process. He said it is their view that those two processes can run concurrently. He said they have changed the concept plan for the CDD such that the road pattern is exactly the same for both the as of right subdivision process and for the CDD plan. The new CDD plan reflects less units than what was proposed before PAC.

Mayor Ball asked if a new application was being presented tonight.

Mr. Wallace said the new plan represents two and one half times the increase in parking area. The road pattern has been confirmed as being appropriate by the Department of Transportation. The plan reflects very minor changes, in their view, from that which was before PAC a couple of weeks ago. He said they would ask that council set a public hearing for this project for August 8, 1994 and in the interim staff prepare an amendment to the staff report that reflects the new concept plan. Also that the terms of negotiated development agreement be revised to reflect the new plan as well and that package be the one that is accompanying the advertisement. He said they are presently, at the direction of PAC, in discussion with staff, with respect to cost sharing of a domestic booster station for that project that would serve a

portion of the CDD and portions of the existing water system maintained by the utility where domestic water pressures now exist.

Councillor Peters asked Mr. Wallace if he was asking to have this delayed until August 8th and to have staff work with him to expedite this.

Mr. Wallace said they have been working for approximately one year. There is a development agreement with terms that have been negotiated. He said there was a concept plan and they now have an alternate plan which has increased park area, fewer units, minor changes to the road patterns. He said they view the changes as enhancing the proposal and can be dealt with by staff in a very timely fashion prior to the advertisement. He said rather than going through PAC etc. they don't feel that the nature of the request is substantial such that it can't be accommodated in the next two week period prior to advertisement.

Councillor Peters said if this has been going on for an entire year and there is a way to cut red tape and get on with it, if there are no substantial changes, then do this. She asked if there was any way, legally, why this can't be done if staff is in agreement with what is going on.

Mr. Crooks said it is difficult to determine when a change is substantive. The Planning Act contemplates the council not only setting a date for a public hearing but directing that a specific agreement, in this cast the development agreement, be advertised and made available. At this stage it is not clear what the agreement is. The council does not have an agreement before it to direct that it be advertised. He said there has been an indication from Mr. Wallace of what some of the concepts are but there is no development agreement at this stage which the council could direct to be advertised. He said there is nothing, strictly speaking, that would prevent council from saying, in any circumstance, that on "X" date in the future we will conduct a public hearing of certain matters. He said who would make the determination, for example, of what gets advertised pursuant to the direction of the council. He said there would be concern that there is a real lack of certainty about what direction council would be given if tonight it said advertise but what was to be advertised is not yet settled. He said that is why the normal process is for council to have before it a form of agreement which is either the form that the developer is happy with or a form that has been agreed by the developer and staff.

Councillor Peters said since there is only one council session in July and the next one is not until August 2nd and the one following that will be in September, it would lose a two month time frame. She asked if there was any way that the county can help.

Mayor Ball said if circumstance dictates that a special session is

necessary, one can be held.

Mr. Wallace said they do have a development agreement that went through PAC with clauses in it which reflect what was being advanced through the system which the developer is prepared to enter into. That development agreement was passed through PAC. He said it is their view that the minor changes to the clauses and substitution of Appendices can take place such that that development agreement, which has been negotiated over the past year, reflects the new concept plan. He said there is an agreement in place that deals with the issues attached to this project and the manner in which they are going to be dealt with will not be substantially changed by the new plan. He said he feels it would be a very minor working session to change the points so they reflect the new concept.

Mayor Ball asked if this also included two items that were not mutually agreed on according to the report - the central water pumping station and the certification of lot grading.

Mr. Wallace said the development agreement does deal with those two issues as per what the developer is prepared to do. He said they have ongoing discussions to try to resolve those issues in advance of the advertisement taking place. He said it is their intent to cause that to happen. He said he is not aware of whether or not the certification of lot grading has been approved.

Mr. Meech said he was apprised of the proposal that Mr. Wallace had been asked to develop with regard to the cost sharing for the water booster station for the water pressure problem. He said he has not had a chance to have staff evaluate it and examine in detail but, on the surface, it would appear it would be a reasonable approach to it. He said they will get it examined in the next few days and come to some formal agreement. He said he has had some discussions with Mr. Armoyan and Mr. Wallace on the lot grading certificate and he is still awaiting some additional advice from the engineering and work staff. He said that issue has not been, technically, agreed to.

Councillor Brill said why couldn't the developer and staff work this out when the original submission was put forward.

Deputy Mayor Bates said he does not like the process being followed. He said he is not going to be supporting any requests tonight but wait and see what staff have to say about it. That it be given proper advertising time, etc.

Mr. Wallace said they are not here to ask council to make a decision other than to establish a public hearing. He said they want to have a staff report prepared that deals with the new application or revised application prior to the advertisement and have council have the benefit of the staff input before they are

called upon to make a decision on this application. He said all they are asking is to have a date set that they can work towards to have this dealt with by council in terms of a vote on the actual project.

Mr. Crooks said council, before approving a specific development agreement that is before it, gives notice publicly of its intention to enter into the agreement. He said the Act assumes that there is a form of agreement before the council that it proposes to enter into which in turn is what is advertised.

COUNCIL AGREED TO DEFER THIS ITEM UNTIL AFTER THE MINOR VARIANCE APPEAL.

PUBLIC HEARING - LESSER SETBACK REQUEST - KEITH LEAHY, SALMON RIVER BRIDGE - 7:00 P.M.

Kelly Denty gave the staff report. She said there is a request for a reduced front yard setback. She said he wants to locate a house and a garage eighteen feet from trunk #7 right of way. He is required to be thirty feet back. Location of the building is limited on this property due to three factors: it's a waterfront lot, Department of Health has requested that the septic system be located on the deepest part of the lot and because of that the house and garage are located towards the centre of the property. Department of Transportation has also requested that a new driveway be constructed along the property's Western boundary which is also the deepest part. She said there is a driveway along the Eastern boundary and Mr. Leahy intends to retain that driveway. She said DOT has no problem with that. She said Mr. Leahy wishes to construct the new driveway to connect up with the old driveway in a circular fashion and to locate his buildings within that driveway area. The driveway can't go back any further from the No. 7 right of way because the property slopes off.

The lot abuts an old road alignment of the No. 7 and the actual building location will be about sixty four feet from the centre line of the road. In most circumstances they did not have a revised road alignment and the building would be about sixty three feet from the centre line. She said it is going to be in line with all the other buildings in the area. DOT has reviewed the application and they have no problem with it. The area building inspector seems to think that Mr. Leahy's request is in line with current standards.

Property owners within one hundred feet have been notified that this is a public hearing. Site specific problems on the property, in her opinion, warrant a reduced front setback.

QUESTIONS FROM COUNCIL

Councillor Sutherland asked if the new highway boundary comparable

to the old road boundary.

Ms. Denty said that the road was realigned so that the pavement is further North of that. She said the road boundary is there but that is not the travelled portion. That is the actual right of way. She said DOT does still retain that portion which is why a setback is enforced.

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

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

"THAT COUNCIL GRANT THE LESSER SETBACK IN COMPLIANCE WITH THE RECOMMENDATION OF STAFF"

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT - CONTINUED

It was moved by Councillor Rankin, seconded by Councillor

"THAT COUNCIL SUPPORT THAT THE CDD GO FORWARD TO A PUBLIC HEARING ON THE CONDITION THAT THE DEVELOPER OBTAIN AGREEMENT WITH STAFF ON THE PROPOSED CDD"

Councillor Rankin said PAC went through a CDD. He said he sees benefits in the CDD. He said with council's support and having regard that PAC already viewed the CDD and there is some real prospect that the CDD may have, in the main, the same elements could notice of public hearing be given on the CDD providing there is consent negotiated, with staff, on these elements. He said if agreement was not reached there would be no advertisement and this would be made explicit.

Mayor Ball said staff needs two weeks to advertise and he would suggest that a special council session be called if the developer and staff can get together and form an agreement two weeks prior to that August 8th date which would give enough opportunity to at least advertise it. It would also put the ball in the developers court as much as staffs to have an agreement in place that council can go forward with. He said what is being talked about is a report that council does not know what it looks like and a public hearing indication is being given of something council knows nothing of. He said he has not heard from staff as to whether or

not it is the same concept.

Councillor Rankin suggested that on July 25th there could be a special session following the public hearing.

Mayor Ball said it would only be for setting a date for a public hearing.

Councillor Rankin withdrew original motion.

Councillor Cooper said decisions are based upon reports prepared by staff so that council can look at them and make decisions. He said he now sees a trend developing and PAC will not be given a chance to look at these reports in their due process. He asked what was council actually talking about. He said he cannot support recommending a public hearing because he does not know what he would be making a recommendation on. He said he would suggest council very seriously consider the ramifications of these procedures and there are a lot of concerns that will not be addressed in time for the report.

Mayor Ball said what has been put forward is a method of trying to accommodate everybody. He said council made the decision to listen and circumvent the process. He said council is either going to take a stand and follow the process or this will continue each time the process is circumvented. He said the letter did not say what the representative would like to speak to council in regards to and maybe, until council gets a detailed explanation as to why somebody wishes to talk to council, council should not be talking to anyone until the public hearing. He said each time council does this it is putting itself in a situation that will be ongoing. He said he has not heard anything from staff and PAC, which has five citizens at large, won't even have the opportunity to review this.

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

"THAT THE REPORT COME BACK TO PLANNING ADVISORY COMMITTEE AND COUNCIL ON JULY 25, 1994 WITH A RECOMMENDED DATE FOR PUBLIC HEARING OF AUGUST 10, 1994"

MOTION CARRIED

Mayor Ball said that maybe in the future if somebody is going to address council they could be very specific as to what they are going to do.

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

"THAT IF SOMEBODY WISHES TO ADDRESS COUNCIL THAT AN OUTLINE OF THE SPECIFICS AS TO WHY THE WISH TO ADDRESS COUNCIL"

MOTION CARRIED

FILE NO.'S PA-CHW-19-92 AND SB-02-92 - APPLICATION BY THE ARMOYAN GROUP LIMITED TO AMEND THE MUNICIPAL PLANNING STRATEGY FOR COLE HARBOUR/WESTPHAL

Councillor Cooper said the councillors for the area have sat with planning staff and the engineering department. He said there is difficulty in assessing what is available with regards to capacity. He said engineering has indicated that there is no capacity available. The councillors, during the meeting, agreed that basically there should be no more inclusions until they can receive from staff a report that clearly states, for council, what is available. He asked Mr. Meech if he had received communication on this and if the indicated report would be available by Christmas of this year.

Mr. Meech said he has received a memo from both the Planning Department and Engineering and Works indicating that it was their intent to develop this suggested report during the period as indicated.

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

"THAT THIS ITEM BE DEFERRED UNTIL THE FIRST SESSION IN THE NEW YEAR"

MOTION CARRIED

14 IN FAVOUR

5 AGAINST

Councillor McInroy said he would like to ask that Mr. Meech ensure that the lands that are within the subdivision known as Portland Estates, but which are physically located within Halifax County and are also within Halifax County's serviceable boundary area, that the potential to have the capacity that the county has allocated to those lands reallocated elsewhere within the plan area. He said it is his understanding that there is approximately seventy acres of capacity allocated there.

Councillor Deveaux said when the municipal plan changed for his area there were a lot of R2's that became R1's and he thought this might have and bearing in bringing forward some extra capacity.

FILE NO. RA-FEN-19-93-18 - APPLICATION TO REZONE PHASE 4 AND FUTURE PHASES OF THE HALIBURTON HILLS SUBDIVISION IN UPPER TANTALLON

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

"THAT THE APPLICATION BE APPROVED AND THAT A PUBLIC HEARING BE SCHEDULED FOR AUGUST 10, 1994 AT 6:00 P.M.

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Charles L. McDonald Sportpark

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

"THAT THE CHARLES L. MCDONALD SPORTPARK BE INCLUDED ON THE INFRASTRUCTURE PROGRAM LISTING FOR HALIFAX COUNTY"

MOTION CARRIED

Amended Full-Time Pension Plan Text

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

"THAT THE FULL TIME PENSION PLAN TEXT BE APPROVED AND FURTHER THAT SECTION 2.22, SUBSECTION 4 BE AMENDED TO INCLUDE A COMMON LAW SPOUSE AFTER ONE YEAR OF COHABITATION"

MOTION CARRIED

Memorandum Re: Election of Chief Magistrate

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

"THAT THE INFORMATION BE RECEIVED"

MOTION CARRIED

Resolution - Western Region Community Committee

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

'THAT COUNCIL APPROVE A RATE OF PRIME MINUS TWO PERCENT FOR THE ST. MARGARETS ARENA ASSOCIATION PROVIDED THERE IS A CONTINUATION OF ORDERLY PAYMENT; OTHERWISE, THE MATTER WOULD HAVE TO BE REVIEWED"

MOTION CARRIED

Infrastructure Program Cow Bay Water and Sewer Servicing

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

"THAT COUNCIL APPROVE NO.'S 1, 2 AND 3 WITH RECOMMENDATION NO. 4 BEING TENDERED AND TENDERS TO COME BACK TO THE EXECUTIVE COMMITTEE FOR RATIFICATION"

MOTION CARRIED

District #8 Volunteer Fire Department - \$196,000 Loan Request

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

"THAT COUNCIL APPROVE THE TENDER TO BE AWARDED TO SUPERIOR TRUCK MANUFACTURERS AND THAT COUNCIL APPROVE A \$196,000 TEN YEAR LOAN ADVANCE TO THE DISTRICT #8 VOLUNTEER FIRE DEPARTMENT FOR THE PURPOSE OF ACQUISITION OF THE PUMPER FIRE VEHICLE WITH COUNCIL RETAINING THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF PRINCIPAL AND/OR INTEREST REPAYMENT"

MOTION CARRIED

Cole Harbour/Westphal Fire Department Vehicle Acquisition - \$88,200 Loan Request

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

'THAT COUNCIL APPROVE A \$88,200 TEN YEAR LOAN ADVANCE TO THE COLE HARBOUR/WESTPHAL FIRE DEPARTMENT FOR THE PURPOSE OF ACQUISITION OF A RESCUE VEHICLE. THE LOAN IS REPAYABLE WITH INTEREST AND COUNCIL RESERVES THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF PRINCIPAL AND/OR INTEREST REPAYMENT"

MOTION CARRIED

\$28,000 Loan Request - Musquodoboit Harbour Volunteer Fire Department

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

'THAT COUNCIL APPROVE A QUOTE FROM GAETZ WOODWORKING LTD. IN THE AMOUNT OF \$25,227.76 TO CARRY OUT THE RENOVATIONS"

MOTION CARRIED

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

'THAT COUNCIL APPROVE A \$28,000 LOAN ADVANCE TO THE MUSQUODOBOIT HARBOUR VOLUNTEER FIRE DEPARTMENT FOR THE PURPOSE OF CARRYING OUT RENOVATIONS TO THE FIRE HALL TO MEET FIRE SAFETY STANDARDS REGULATIONS. THE LOAN IS REPAYABLE OVER A TEN YEAR TERM WITH INTEREST AND COUNCIL RESERVES THE RIGHT TO LEVY AN AREA RATE IN DEFAULT OF PRINCIPAL AND/OR INTEREST REPAYMENT"

MOTION CARRIED

Capital Grant Requests

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

"THAT THE FOLLOWING CAPITAL GRANT REQUESTS BE APPROVED:

- (a) District Capital Grant District #12 \$ 500.00
- (b) District Capital Grant District #14 \$1,300.00
- General Parkland Grant \$1,300.00
- District Parkland Grant District #14 \$1,300.00
- (c) District Capital Grant District #22 \$5,511.35

MOTION CARRIED

Halifax County Grant Requests - 1994/95

It was moved Councillor Meade, seconded by Councillor Peters:

"THAT THE GRANT ALLOCATIONS FOR 1994/95 BE APPROVED"

MOTION CARRIED

Stop Dated Accounts

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

'THAT COUNCIL AUTHORIZE THE WRITE OFF OF THE UNCOLLECTIBLE STOP-DATED ACCOUNTS IN THE AMOUNT OF \$146,355.58"

MOTION CARRIED

Natal Day

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

"THAT HALIFAX COUNTY DECLARE AUGUST 1, 1994 AS NATAL DAY"

MOTION CARRIED

Mill Cove Treatment Plant Expansion

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

'THAT COUNCIL APPROVE THE RECOMMENDATION AS OUTLINED INT HE STAFF REPORT DATED JUNE 27, 1994"

MOTION CARRIED

North Preston Fire Department Substation Renovation and Construction

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

"THAT COUNCIL APPROVE THE INCLUSION OF THE NORTH PRESTON FIRE DEPARTMENT SUBSTATION RENOVATION AND CONSTRUCTION TO THE INFRASTRUCTURE PROGRAM FOR HALIFAX COUNTY"

MOTION CARRIED

Sackville Economic Development

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

"COUNCIL APPROVE THAT (A) A MAXIMUM SUM OF \$30,000 BE ALLOCATED FROM THE ECONOMIC DEVELOPMENT BUDGET FOR THE FISCAL YEAR 1994/95; (B) APPROVAL BE GRANTED TO SUSTAIN THE CORE OPERATIONS OF THE SEDC UNTIL AUGUST 31, 1994; (C) THAT THE WORK PLAN FOR THE BALANCE OF THIS FISCAL YEAR BE REVISED TO TARGET SPECIFIC INITIATIVES FOCUSED ON ECONOMIC DEVELOPMENT AND (D) PRIOR TO AUGUST 31, 1994 THAT MR. MEECH TABLE A PROPOSAL IDENTIFYING A METHOD TO SUSTAIN THE SEDC ACTIVITIES WITHIN THE AVAILABLE EXISTING FINANCIAL RESOURCES.

Councillor Brill asked if this was saying that this will be reassessed on or about August 1st to see how much of the \$30,000 they are going to get or what is it saying.

Mayor Ball said the original \$30,000 budgeted was contingent on funding from the provincial and federal governments. He said that money, to date, has not been forthcoming and this has been done to address the situation in Sackville whereby the funding is in the process of running out. This is the direction the Executive Committee gave to Mr. Meech.

Mr. Meech said council would be agreeing to allocate a total of \$30,000 for this fiscal year so that, in effect, at the end of August, if there are no other sources of funds available, the county will have to look at what the total expenditures are to date at that point and determine how much monies are left and available and, with that, come back with a plan.

Councillor Brill said the money is available in the Economic Development budget to carry the project through the whole fiscal year. He said he feels it is incumbent upon council to support this project even if the other two partners don't come on.

Mr. Meech said there is nothing to restrict a proposal coming

forward at the end of August with respect to utilization of other funds in the budget. He said the position of both the federal and provincial agencies is that there is no money available to sustain operations until such time as the RDA is in place.

Deputy Mayor Bates said it was the position taken by the Executive Committee that Halifax County does not know what the other players are going to do. He said he is concerned that the county may end up inviting more downloading on itself.

Councillor Peters said she has spoken with the chairman of SEDC and suggested he approach the Executive Committee with this request. She said she was concerned with the fact that the twelve month plan that was being done by SEDC is finalized by the end of July. She said it has yet to be tabled with council and she did not feel it would be fair to stop the process and shut it down cold.

MOTION CARRIED

APPOINTMENT - DARTMOUTH/HALIFAX COUNTY REGIONAL HOUSING AUTHORITY
(2 REPRESENTATIVES)

Council agreed that the item be deferred to the next council session.

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

"THAT THE MINISTER BE CONTACTED REQUESTING A CONTINUATION OF THE PRESENT TERM UNTIL AUGUST 2, 1994"

MOTION CARRIED

RESOLUTIONS RE: BANKERS AND SIGNING OFFICERS

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

"THAT THE RESOLUTION RE BANKERS AND SIGNING AUTHORITY FOR OCEAN VIEW MANOR BE APPROVED"

MOTION CARRIED

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

"THAT THE RESOLUTION RE BANKERS AND SIGNING AUTHORITY FOR HALIFAX COUNTY REGIONAL REHABILITATION CENTRE RESIDENTS BE APPROVED"

MOTION CARRIED

VERNON KYNOCK QUARRY

Councillor Giffin said in view of the recent ruling of the appellant court on the Vernon Kynock Quarry, he has been solicited by residents to ascertain whether council would entertain a motion of reconsideration of councils' decision on this matter. He said he would like to have a written confirmation that this cannot come back to the floor as a motion of reconsideration.

Mayor Ball said written confirmation will be provided for the next council session.

RATIFICATION OF APPROVED DISTRICT CAPITAL GRANTS

It was moved by Councillor Rankin, seconded by Councillor

"THAT APPROVED DISTRICT CAPITAL GRANTS, AS OUTLINED ON MEMO DATED JUNE 17, 1994 BE APPROVED WITH THE EXCEPTION OF D1178 - LAKESIDE LIONS CLUB IMPROVEMENTS - \$4,000.00 WHICH WOULD BE DEFERRED TO AUGUST 1, 994 SESSION"

MOTION CARRIED

CONSOLIDATION OF ADMINISTRATIVE SERVICES RE: AMALGAMATION - COUNCILLOR RANKIN

Councillor Rankin said he has not seen any report on amalgamation of services relative to payroll, human resources, tax billing and collection. He said the intention behind this kind of a report is to have discussion on what, if anything, municipal council is prepared to do within its own as well as other municipal units. He said if there are any reports they be forwarded to Metro Authority. He said Metro Authority passed a resolution in October mandating a committee of Chief Administrative Officers to come back with a report. He asked if a status report could be provided.

Mr. Meech said he would provide a written report for the next council session as to what the status is.

DEPARTMENT OF TRANSPORTATION - COUNCILLOR PETERS

Councillor Peters said that in the community of Wellington there is a gentleman by the name of Mr. Darrell Chaisson who had a false ditch made by the Department of Transportation, on his property, when a street called Pine "N" Oak was installed about fourteen years ago. Mr. Chaisson has had repeated problems with it. He has been in touch with the Engineers and has had staff people out and nobody is doing anything.

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

'THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION, WITH A COPY TO FRANCENE COSSMAN, MLA, AND MR. CHAISSON, REQUESTING THAT THE FALSE DITCH BE REPAIRED IMMEDIATELY SO THAT IT DOES NOT CONTINUE TO FLOOD HIS PROPERTY"

MOTION CARRIED

DEPARTMENT OF TRANSPORTATION - COUNCILLOR GIFFIN

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

'THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION REQUESTING PAVING OF WESTWIND DRIVE UNDER THE FIFTEEN YEAR PLAN AND GRANT LINE ROAD, (PART OF THE OLD YANKEE TOWN ROAD). FURTHER THAT A COPY OF THE LETTER BE SENT TO MR. DELANEY, DOT, AND BRUCE HOLLAND, MLA"

MOTION CARRIED

URGENT AGENDA ITEMS

Crosswalks - Councillor Deveaux

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

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION, WITH A COPY TO DENNIS RICHARDS, MLA, REQUESTING A CROSSWALK ON THE CALDWELL ROAD IMMEDIATELY ACROSS THE ENTRANCE FROM GREENRIDGE TRAILER COURT"

MOTION CARRIED

Waterline Eastern Passage - Councillor Deveaux

Councillor Deveaux said over the last couple of days there was a serious break in the waterline along the main highway in Eastern Passage which entailed a couple of days in which the residents had to do without water. He said one of the issues that has been brought forward over the years which he would like looked at is that the water should be looped around Caldwell Road. He said at the present time there is only one major of source and no matter where you have a bad leak in the community it automatically shuts water off from all the residents. He said if this loop could be brought about and lines put in place along the Hines Road to complete the loop it would eliminate that problem.

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

'THAT THIS ISSUE BE REFERRED TO SERVICE STANDARDS FOR A REPORT AS TO THE POSSIBILITY OF PROCEEDING TO CONSTRUCT

THAT MUCH REQUIRED LOOP"

MOTION CARRIED

DOT - Councillor Rankin

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

"THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION ASKING FOR THE INSTALLATION OF AN ADDITIONAL STOP SIGN ON THE LOWER SIDE OF MAPLEGROVE AND IN THE SUBDIVISION OF PARKDALE DUE TO SAFETY CONSIDERATIONS"

MOTION CARRIED

Sackville Office Accommodation - Councillor McInroy

Councillor McInroy said as a follow up to the correspondence from Mr. Meech to Councillor Harvey with regards to the Sackville Town Centre he wanted to know if Mr. Meech could give some indication and make council aware of the kinds of things that are being looked at if there is anything.

Mr. Meech said he has requested an examination of a number of sites and has requested proposals from a number of groups. He said he has not had an opportunity, to date, to evaluate them and prepare a recommendation. He said since communicating the memo directly to Councillor Harvey the owners of the Sackville Town Centre have been back to him but nothing has been pursued. He said he may be in a position to give a status report by August 2 as to what options he has examined and what the ramifications or implications of that would be.

Kings Road - Councillor Peters

Councillor Peters said the Department of Transportation has a ruling that says if there are three permanent dwellings in existence on a private road prior to 1972 the county can request the province take that section over. She said she is requesting that the Minister of Transportation take over that section of Kings Private Road in Wellington from the first bridge over the second bridge to gate called Maynard Browns Gate. She said it is a distance of approximately one (1) kilometre.

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

'THAT A LETTER BE WRITTEN TO THE MINISTER WITH A COPY TO FRANCENE COSSMAN, MLA, WITH HER REQUEST"

MOTION CARRIED

Councillor Sutherland said he was bringing forward an article with regards to an easement with respect to two lots on the old Sackville Road. he said within the last five years council purchased a parcel of land which could serve as a catchment area of acadia school. he said there is a twenty eight foot easement which services this parcel of land. Mr. Kevin Marchand has negotiated with Mr. Brine's department a right of way to service two lots which are presently under development. They are two single family dwellings being constructed. He said Mr. Marchand did not know at the time that the right of way, as negotiated, did not make provisions for servicing of telephone lines, water line and for the servicing lines.

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

"THAT COUNCIL DIRECT PROPERTY MANAGEMENT TO RENEGOTIATE THE EASEMENT WITH MR. MARCHAND WHICH WOULD PROVIDE FOR TELEPHONE LINES, WATER LINE AND THE SEWER LINE FOR THOSE TWO LOTS AND THOSE TWO LOTS ONLY TO THE COUNTY SPECIFICATIONS WITH RESPECT TO ENGINEERING DESIGN"

MOTION CARRIED

ADDITION OF ITEMS TO AUGUST 2, 1994 COUNCIL SESSION

DOT (2 items) - Councillor Boutilier
DOT - Councillor Giffin
DOT - Councillor Merrigan
DOT - Councillor Peters
Policy on Additional Terms, Urgent Terms, Emergency Terms and Appointments - Councillor Bayers
Update on Satellite Office Eastern Shore - Councillor Bayers

ADJOURNMENT

It was moved by Councillor Meade:

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

PUBLIC HEARING

July 25, 1994

PRESENT WERE: Deputy Mayor Bates
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Deveaux
Councillor Hendsbee
Councillor Randall
Councillor Smiley
Councillor Reid
Councillor Merrigan
Councillor Brill
Councillor Giffin
Councillor Barnet
Councillor Boutilier
Councillor Harvey
Councillor Turner
Councillor Cooper

ALSO PRESENT: Nancy Dempsey-Crossman, Municipal Clerk
Alan Dickson, Municipal Solicitor

=====
The meeting was called to order at 6:00 p.m with the Lord's
Prayer. Ms. Dempsey-Crossman called roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

Deputy Mayor Bates outlined the procedure followed for a public
hearing.

PUD-01-94-MW-A3 - APPLICATION BY ALDERNEY CONSULTANTS LIMITED ON
BEHALF OF THE ARMOYAN GROUP LIMITED AND THE DEPARTMENT OF HOUSING
AND CONSUMER AFFAIRS TO AMEND THE PROVISIONS OF THE MILLWOOD
PLANNED UNIT DEVELOPMENT (PUD) AGREEMENT BY REDESIGNATING THREE
PARCELS OF LAND TO ALLOW FOR SINGLE UNIT DWELLING SUBDIVISIONS ON
REDUCED LOT SIZES

Jim Donovan presented the staff report. He said the application
was made by Aldernay Consultants Limited on behalf of the Armoyan
Group and the Department of Housing and Consumer Affairs. The
application involved three separate parcels of land for which

three separate design proposals have been prepared by Aldernay Consultants and submitted by the applicant.

He said the application was made based on three separate applications but they were all combined into one staff report and basically, one application. He said all of these lands are presently designated as block lands under the Millwood Planned Unit Development Agreement. Based on the current provisions of the agreement, they are intended for development exclusively for apartments or townhouses or condominiums, a higher density of development. The purpose of this application is to amend the PUD in order to redesignate these lands to lotted frontage to permit lower density or residential development to proceed on them. The applicants have submitted preliminary design proposals in support of their application. The most recent design proposals are outlined in a July 8th staff report that wasn't prepared prior to the advertisement going into the paper. He said he would like to make it clear that this is a revised application. Initially there were three other design proposals that were prepared based on some concerns that were expressed in the community and some concerns expressed in the May 26th staff report. The applicant revised the design proposals on June 20th and that it is that revised application that is being addressed here tonight.

The first parcel of land is known as parcel MFM2R and it is located on Millwood Drive and is approximately 3.76 acres in size. It is located on along a curve on Millwood Drive just as you are entering into the Millwood Village community. He proceeded to show slides of the property. The property extends along Millwood Drive. It is fairly linear in shape and slopes down towards a low area that eventually leads to the Little Sackville River headwaters. The property is heavily treed and slopes quite sharply from the roadway. He said the built up area is predominantly single family housing on conventional sized lots. The curb and gutter stops at approximately the boundary of this property and basically this mainly ditches along the frontage section of the road from here to Beaverbank Road. He showed a view of the back portion of the lot which shows how the slope levels out into a flat area that runs along the brook in the back of the property. He said what is being proposed here is the development of seventeen residential lots of which sixteen would have minimum frontage of thirty two feet. This would allow buildings of twenty foot width to be constructed on each lot with a minimum side yard of eight and four feet respectively.

The initial design proposal showed sixteen lots and the balance is to be conveyed to the Municipality as parkland addition. The revised plan show seventeen lots. From a staff perspective they are not recommending the approval of this proposal for MFM2R mainly from the point of view of the narrow frontage of single family lots. Staff are not opposed to redesignating these lands from their apartment status to permit single family housing;

however, they see thirty two foot wide single houses along this side of Millwood Drive as somewhat problematic. He said the property is on an inside curve of Millwood Drive. These narrow frontage lots will just add to the number of driveway accesses along this which staff feels will undermine the purpose of Millwood Drive which is to serve as a collector road through the community of Millwood. It may possibly lead to traffic problems. All of the existing development along Millwood consists of conventional size single unit houses and staff feel that any development of this parcel to be consistent with that. He said they made a similar recommendation for a CDD development agreement that was submitted for approval by community council on the opposite side of the street for Login Road wherein that proponent of that particular application wanted to create narrow frontage single unit dwelling lots along Millwood Drive. The recommendation, which was supported by community council, did not support that and in fact approved conventional size single unit dwelling lots as part of that proposal. He said staff feels that that would be consistent with past recommendations to approve only conventional size lots along Millwood Drive.

With respect to parcel MFM5, which is part of the application, this property is located on High Rigger Crescent and is 13.6 acres in size and the applicant is proposing to create twenty narrow width single family lots of thirty two feet in width based on the same four and eight foot side yard clearance principal as well as a conventional size single unit dwelling lot in a location along a tributary to the Little Sackville River and four semi detached dwellings. The original proposal for this site was the one the community is quite familiar with originally proposed nineteen narrow frontage single family lots along High Rigger and four acre site that would be used for the development of an apartment building. In addition to that the applicant would convey the balance of the land, that is not used for development purposes, to the municipality as a conservation area or a parkland addition. He proceed to show slides of that site for the information of council.

He said when staff reviewed the first application involving this site they basically supported the application. At that time there was an apartment site being proposed which, from staff point of view, they did not feel was part of the application to amend so they didn't comment on it. The community was very concerned about the apartment site and, as a result of the concerns expressed by community residents, the applicant has moved that component from the application. In place of that he has added a few more lots. He said staff support on the application remains basically unchanged from the previous one with respect to nineteen of the lots; however, there are others that are, as a result of amendments to the land use by-law and planning strategy for Sackville, within the flood plain. He said those are specifically lots M521 and M522A. He said those lots

would be within the 1:20 floodway of the Little Sackville River. He showed an overhead of where that line is.

He said with respect to parcel MFM6, which is the third component of this application, the first design plan that was submitted as part of the application showed forty six narrow width single family dwelling lots to be constructed on the basis of a through street that would extend from Millwood Drive to Route 1. The latest proposal shows thirty six narrow frontage lots to be created from a cul-de-sac extending from Millwood Drive and an additional seven narrow width lots to be developed along Route 1. He showed slides of the area. He said there are ditches along Route 1 and the land slopes quite steeply from the highway. He said there are some slopes in excess of twenty percent on this property.

He said the main concerns that staff have with respect to the proposal for MFM6 was that there was an extensive amount of fill that would be required in order to construct the access road, the cul-de-sac that would be developed to accommodate residential development on the site as well as the extensive grading of each individual lot to make it flat enough to accommodate single unit dwellings. The applicant hasn't provided much in the way of details as to how this development would proceed nor has there been very much in the way of assurances that it would proceed without any erosion and sedimentation problems or lot grading problems or just drainage onto individual lots. He said nor has there been details as to how the slopes would be stabilized. He said that staff recognizes that the cul-de-sac is an improvement. The proposal to put a cul-de-sac in to develop this would be an improvement over the original proposal which implied a through street and introducing traffic into Millwood. The design was not designed for this.

He said it has to be kept in mind that all three proposals involve narrow frontage lots. He said they are more narrow than what is proposed in the Glengarry Estates CDD or the Heritage Hills ones. He said these are more along the lines of the Armcrest CDD which has thirty two foot wide lots. The only distinction of these proposals is there would be four foot side yards on each side of the buildings whereas Armcrest had 0 lot line which was based on 0 clearance on one side and twelve foot separation between the buildings. He said staff don't feel that these are appropriate lots to be locating along Route 1 which is a rural route from the physical aspects of that street. He said it has ditches and these lots would have very steep inclines to the roadway. He said staff does not know what the driveways would result and whether there would be problems in construction of driveways onto these lots on these kinds of inclines. He said staff definitely don't recommend those seven lots approved.

He brought councils attention to the resolution attached to the

staff report that council could, if it decides to approve all of this application, accommodate that type of decision. If council wishes to make some other amendments that it feels are appropriate then the solicitor could advise how far the council could go in making changes to the plan. He said the developer has made his application and wishes to have his application reviewed on its own merits.

Councillor Brill said Mr. Donovan had mentioned the seven lots on Sackville Drive. He asked what the difference was in accessing those lots than the existing R1 lots that is adjacent to them.

Mr. Donovan said that R1 home has several hundred feet of road frontage and one driveway whereas this one would have thirty two feet plus seven driveways.

Councillor Brill asked if it was only a thirty two setback.

Mr. Donovan said it was a thirty two foot wide lot with an individual driveway. He said there is a grade there.

Councillor Brill asked if there was a grade going up to the house that was presently there.

Mr. Donovan said that house is set back quite a ways and the incline is more slight than what the incline on these lots would have to be in order to get to them. He said these houses would only be twenty feet from the roadway.

Councillor Barnet said Mr. Donovan had commented on MFM2 about the access to the Millwood Drive and the fact that there is sixteen or seventeen narrow lots in one regular six thousand square foot lot. Mr. Donovan confirmed this.

Councillor Barnet asked under the current as of right block land frontage how many town house lots could be located with access and entrance to that particular site.

Mr. Donovan said based on Department of Housing estimates fifty townhouses or apartment units. He said he does not believe you can get fifty twenty foot wide townhouse units along that stretch of road but the parcel was originally intended to accommodate an apartment type of development that would have fifty units in it. He said there wasn't a specific site plan prepared.

Councillor Barnet said what he is alluding to is that, as of right, if they could squeeze fifty town house driveways that on an as of right development they would likely exceed the sixteen or seventeen to the excess. He said it would probably be thirty or more. He asked if this was conceivable providing they received Department of Transportation approval.

Mr. Donovan said that would be the critical factor because staff wouldn't review that to any great detail because it is presently permitted under the PUD. He said staff would not have much input into whatever the design was. He said the Department of Transportation has looked at this proposal and has indicated that there are no difficulties from the stopping site distance point of view.

Councillor Barnet said with regards to the 1:20 and the 1:100 flood plain map there is a report in the package which indicates the 100 year flood plain to be outside all these particular lots and another one indicates that the 20 year flood plain is inside these lots. He said the flood plain designation was put into the plan by the minister of Municipal Affairs. He asked which is the real flood plain.

Mr. Donovan said the real flood plain, the legal one, is the one shown on map 1 on page 10. The one in Appendix B is the applicants map. He said both these maps are actually the applicants but staff has superimposed the zoning and the designation approved by the Minister of Municipal Affairs on their map on page 10. He said one has the county's additional information on it.

Councillor Barnet said there is obviously a conflict in information. He said map 1 show two 1:100 year flood plains.

Mr. Donovan said staff did not change the applicants information. He said the information shown on the fainter line is information provided by the applicant and staff has indicated, in the staff report, that the information does not jive with county information.

Councillor Barnet referenced MFM6. He asked if there was any information regarding soil conditions on those sites. He asked if there was any difference between this and a similar situation in Sackville.

Mr. Donovan said the main difference is that one is a PUD and the other is a CDD that was developed and negotiated more recently than the PUD was. He said he does not have a lot of information on the soil conditions because there was not too much in the way of analysis provided in support of the application. He said the county has not conducted an individual soil analysis. He said they can only assume, since this is part of the overall area of Millwood, that the soil conditions are not too much different from one site to the other. He said there were concerns in the Login Road CDD about the stability of slopes after any cutting and filling that might take place. He said there were provisions put into that agreement to ensure that the final slopes would not cause any problems. He said staff does not know what the final development of this will result in. In the existing PUD there is

provision whereby the Department of Housing prepares lot grading plans and ensures that its builders carry out the construction practices within their development according to those plans. That is more or less an informal arrangement that they have with the municipality. He said it is not specifically indicated in the PUD agreement but it has evolved over time as an accepted practice. He said he does not know how this developer might proceed and whether or not they might proceed on the same basis. He said they expect that they would because the Department of Housing would ultimately remain responsible for carrying out the provisions of the PUD and that involves any people or developer that they transfer the land to. They are still subjected to the same requirements.

Councillor Barnet asked if the environmental constraints that are currently in place with the Department of Housing with regards to placement of straw etc would remain.

Mr. Donovan said they would expect that they would. He said those are actually more enhanced provisions than what would be provided for as of right.

Councillor Barnet asked if the thirty two foot lots on highway 1 would be subject to Department of Transportation approval for site distances and clearances.

Mr. Donovan confirmed this.

Councillor Barnet asked if council decided to approve this would it still be subject to that. Mr. Donovan confirmed that it would.

SPEAKERS IN FAVOUR

Mr. Steven Taylor, 7 Connolly Road, spoke in favour of the application. He said he is a little surprised by the information staff is using. He said it appears they are still using the old information. He said the through street is not there anymore. He said residents of Millwood cannot have previously known of the future of Millwood because of the sales pitch in 1982 PUD agreement has changed. He said he lived on High Rigger. He said the school location has changed. They were going to put it across from High Rigger but they said it was in a flood zone and cannot do that. The flood area itself has been a big issue. He said it is going to be adopted as a flood zone and that is why the R1's would fit better than putting an apartment in there. The highway has changed the plans for Millwood. The next two phases have been drastically on hold. Sewer capacity is a big issue for Millwood and all residents in Sackville. It just can't handle any more and they are struggling. He said the issue is not what type housing but what fits here for the zoning and the land use. He said the schools are over crowded. He said they

are talking to make a proposal to reduce the size of living quarters. He said the goal of the MPS is 70% R-1 and currently it is at 62% in Sackville. He said to look at this objectively based on the plan and updated information. The single lots in this issue suit because the apartments don't suit because of flood zoning and road zoning. He said the six lots coming out on the No. 1 highway conform well. He said Mr. Armoian has stated that he will put the houses back to what they want. He referenced a letter from the Minister to Mr. Armoian. He also referenced a letter from Donald McInnis in response to the Minister. He said Mr. Armoian has to abide by an agreement with housing and environment rules and this will be closely monitored. He said when he purchased his land he was informed that there was to be a senior citizens complex going to be built across from his home which never materialized. He said he found out it was to be an apartment building. He said if the whole situation was looked at council would vote in favour of the application.

Mr. Dan Hennesy, 34 Millwood Dr., spoke in favour of the application. He said one of the points which seems to surface in the discussion of the proposal is that the PUD has been in place for many years prior to any residents expressing concerns with respect to R4 dwellings. He said when he and his wife decided to move they were aware of the parcel of land behind them as being zoned as a multifamily dwelling. He said at that time it was indicated by the Department of Housing that those lands would not be developed in the near future. He said they were given those assurances and with that knowledge they went ahead with the purchase of their home. He said they were aware that there was a real chance of that being developed. It may have altered their decision to purchase that particular home in that particular area. Had there been a multi family dwelling in that area at the time they may have reconsidered purchasing the home in that particular area. There are many things that would have come into the total agreement if they had been made aware and had been told truthfully at the time that there is a very real possibility of that going in there. Each person that lives in Millwood pay the market value for the homes and that was based on the absence of those multi family development. None of them received any deal when purchasing their homes, they paid top dollar. To construct a multi unit dwelling after the majority of single family development has been done in there would be wrong. He said this is going against the way things are supposed to be done. He said they have heard the term fully integrated neighbourhood which would include single family and multi family dwelling. He said that if fine if it is all developed at the same time. If one is done ahead of the other then the PUD has to be looked at as an antiquated piece of paper. He said it is time that the residents and the elected officials had the opportunity to re-examine a very antiquated document. He said it is the feeling of the residents that the PUD should be changed to allow single family development in parcels MFM2R, MFM5 and MFM6.

Councillor Boutilier asked if the density of development was of any concern. He said if an apartment was developed on a four acre site it would give a fairly heavy density and now going with the narrow frontage homes there is still the heavy density of development.

Mr. Hennesy said he would rather not see anything developed. He said it is presently country living in a city area. He said development is inevitable so lets develop in a way that conforms with the way the subdivision was laid out to them when buying homes in that area.

Councillor Boutilier asked if the increased traffic would be a bother to him. Mr. Hennesy said the increase in traffic was a serious concern and has worked to have stop signs put in Millwood in order to slow traffic. He said the original proposal for the through street from Highway 1 through Millwood Drive was a concern as it would cause an increase in traffic that they don't need. He said the staff report this evening said the cul-de-sac was a great idea because it slowed down traffic but there was a concern that there was traffic on the other end. Traffic is a problem. He said they are hoping that the single family dwelling as opposed to the high density multi family dwelling won't produce the same flow of traffic.

Councillor Boutilier said in terms of the development he is not sure if there will be more or less in terms of density but he types of development will be different. He said the PUD was laid out so that when the development was finished it would contain a mix of affordable housing for all segments. He said had it developed all at once it would have been a planned unit community. Because it did not develop with the speed that some of the other PUD's did there has been a lapse and people have more of a say in the types of development that takes place. He said he wanted to confirm that Mr. Hennesy is opposed to the apartment building development that was proposed originally but not opposed to the narrower frontage development that is now proposed to take place.

Mr. Hennesy said that is correct. He believes it would conform more with the neighbourhood.

Councillor Hendsbee asked what the lot frontage was in front of Mr. Hennesy's property. He replied that it was sixty feet.

Councillor Hendsbee asked if he would have any problem with the thirty two foot frontages on the other lots. Mr. Hennesy said if they are planned properly they look like a planned development.

Councillor Hendsbee said Mr. Hennesy would therefore have no problem with alternative form of affordable housing to be in an area that may devalue his property because of another price zone

in there. Mr. Hennesy said he does not believe that that type frontage lots would have an adverse effect on his property value.

Councillor Giffin said mention had been made with regards to work done by staff. He said work done by staff is done very objectively and not subjectively.

Mr. R. Caaney, 26 Millwood Drive, spoke in favour of the application. He said he is a senior citizen. He chose to live at 26 Millwood Drive because he wanted to live his retirement years in the environment that would not be touched by future development such as what the residents are being faced with today. He said he is against apartments being built in the area. He said the area where he lives is treed and has a nice environment. He said there is strong objection, maybe not in numbers, but it is not easy to come such a distance to argue a point. He said if by any chance any new proposal is passed for the area in which he lives he would suggest strongly that the council and the developer take a real hard, long look. He said if there is any development at the rear of where he lives and which would affect his neighbours he would plead that at least a tract of forest be left to give them some privacy from whatever is built in that area. He said he feels they are entitled to that privacy and to enjoy some serenity and beauty. He said there is a lot of land in this county and why do houses have to be placed in every conceivable area. He said he does not wish to move again but if certain conditions don't lend themselves to his style of environment and living then he will have to go elsewhere. He said he would like to point out that he does not see or give approval of these little postage stamp lots that is proposed. He said it boils down to greed, how much can we get out of a piece of land. He said based on the director of planning it would appear that there is a possibility of the particular lot of land to be developed at the rear of his area of Millwood Drive has not had a lot of research done with regards to the potential as to what will be correct and what will not be correct in relation to erosion, water etc. He said it would also appear to him that maybe the developer has not given that the thought and consideration that it warrants. He said it is too late when, if in councils judgement, the decision is made to go ahead with property then it is too late to withdraw. He said regardless of the Department of Housing saying they are going to keep a close eye on it sometimes the close eye becomes the closed eye and things go through without being corrected.

He said based on what he has said council has some idea as to how he feels. He said he wanted to mention overcrowding of schools and overworking of the sewer system. He said council should fulfil its commitment of putting parkland and playgrounds in the area which in five years they haven't seen.

Councillor Boutilier said he would understand it that the speaker

is not in favour of the development at all.

He said he is not in favour of additions period. He said he is in favour that if the inevitable arises of having apartments deleted period and also against going for postage stamp size lots. He said a conventional building lot is a different story. He said his main issue is make sure that those persons who are going to be affected get a chance of privacy by not cutting down every tree in sight.

Deputy Mayor Bates confirmed that the speaker would be in favour of conventional size lots if there was an amendment made to the application. The speaker confirmed this.

Mr. Bryce Reid, 96 High Rigger Crescent, Millwood, spoke in favour of the application. He said he has lived there since 1989. He said on the M5 lands which is in High Rigger Crescent he believes that the Nova Scotia Housing Commission and the developer said that they would give all the additional lands back as parklands to Halifax County. He said the PUD for Millwood was July, 1980. It was signed in 1982 but since then in the community of Sackville there has been over two thousand apartments developed. There is a vacancy rate of about eight percent in Sackville at the present time. He said downsizing in Millwood is the way to go. He said his personal preference is R1 and R2. He said what has not been addressed here is what about the Millwood Elementary School. He said there is almost two children per family. With all these new homes coming in it is going to bring in about eighty to one hundred and twenty five kids and Millwood Elementary is going to have portables. Millwood High School may end up on a split shift basis because Millwood is a young community. Downsizing for the sewage to give greater capacity to expand the service area of Sackville would be much better than apartment buildings or town houses. He said he has been involved in the Millwood Commons. He said according to the PUD they will get walkways and green areas and to date in Millwood they only have two walkways for the kids to walk to Millwood Elementary.

Councillor Boutilier said just so there is no understanding the proposals that are here tonight in the three specific parcels of land the apartment complex development has been removed. He said the consideration here this evening is the narrow width lot and the density of development. He said what is being looked at here tonight are narrow width lots and density.

Deputy Mayor Bates confirmed that council was not giving consideration to apartment buildings but deciding whether or not to go with this application. He asked if the speaker was in favour of these smaller lots as proposed by the developer.

Mr. Reid said he would like to see, in Millwood, all R1 and R2

proper lots because the school system is going to get killed in two years or less.

Councillor Barnet said there is an application for downzoning. He said what is being dealt with is apartment sites down zoned to these narrow single family houses. He asked if Mr. Reid would prefer apartment sites or single family homes.

Mr. Reid said he would prefer down sizing.

Mr. Curtis MacKenny, 83 Chandler, spoke in favour of the application. He said Mr. Hennesy was drawing a comparison between apartments and their density and small lots which could possibly have an equal density. He said if that is the case then where is the argument as it is the same number of people and the same amount of traffic. He said the fact has to be addressed that if you own a regular size house or small house on a small lot you still have pride of ownership. He said that is the difference between owning a home or living in an apartment. He said it is a fact that a different family will be in an apartment than someone who is owning a home. He said there are a number of apartments on his street which cause all the trouble and all the annoyance in the neighbourhood. They create all the destruction and unhappiness. He said there is a big difference between having fifty people living on a small lot and fifty people living in an apartment building. He said it has been quoted that there is a thirty year high in vacancy rates. He said why put more apartments in what is basically a residential area. He said people have pride in ownership and they are afraid that that pride is not going to be there in the apartment dwellers.

Councillor Harvey said he cannot let the prejudicial remarks about people living in apartment buildings to pass unchallenged. He said people who live in apartments are just as likely in his experience to have pride in their apartment and their neighbourhood. He said if they have children they have pride in the neighbourhood their children are being brought up in and the schools they go to. He said it is a viable lifestyle and housing type. He said his own district has a mix and some R1 houses do not do anything for the neighbourhood and in some instances reduce it because the people who live there don't have a pride in their property. He said you cannot guarantee where you are going to find pride in your neighbourhood. He said an assumption cannot be made that if these narrow lots are turned down that the sod is going to be turned tomorrow to develop apartment houses there.

Mr. MacKenny said in his immediate area which has some good homes there are at least, to his knowledge, five apartment dwellers. He said they live on the top and bottom floor in about five homes and every one of them, to his knowledge, are trouble. He said they were misled by the housing department who said that if