

PUBLIC HEARING

March 27, 1995

PRESENT WERE: Deputy Mayor Cooper
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Deveaux
Councillor Hendsbee
Councillor Dooks
Councillor Smiley
Councillor Reid
Councillor Naugle
Councillor Merrigan
Councillor Brill
Councillor Snow
Councillor Giffin
Councillor Hache
Councillor Scratch
Councillor Harvey
Councillor Sutherland

ALSO PRESENT: Nancy Dempsey Crossman, Municipal Clerk
Karen Fitzner, Municipal Solicitor
Julia Horncastle, Recording Secretary

=====
The meeting was called to order at 6:50 p.m.

APPLICATION NO. SB-09-94 - PROPOSED AMENDMENTS TO THE SUBDIVISION BY-LAW (ROADS)

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

Mr. Peter Dickson said the province gave the county responsibility for local roads as of April 1, 1995 which impacts on the subdivision by-law. He said as of April 1st the county will have approval powers for new local streets through the subdivision process. Up until April 1st that power lies with the Department of Transportation. The transfer of approval power to the municipality requires amendment to the subdivision by-law so that subdivision applications can be dealt with and development of engineering specifications for the design of new roads. He said what council is dealing with at tonight's meeting is the subdivision by-law amendments. The road specifications are being dealt with through the Service Standards committee. After the subdivision by-law is passed, the DOT specs will still be in

force. He said council is not dealing with specifications tonight but with the subdivision by-law.

He said there has been a tight time line with regards to this. He said a copy of the proposed amendments has been circulated and comments were received from the development community. He said a second draft was sent to a joint meeting of the Service Standards and Planning Advisory committees at which time input was received from members of the development community. Following that meeting further amendments were made and the third draft is the one in front of council tonight. He said major changes aren't possible at this meeting if council wishes to adopt the by-law tonight. He said if any major changes are to be considered he would suggest council adopt the by-law tonight and have the changes made down the road.

Staff presentation was made by Mitch Dickey. He said effective April 1st the municipality becomes responsible for the approval, ownership and maintenance of all new and all extended public streets in the municipality. He said the Department of Transportation will still maintain a small role in the approval process and the Engineering department will be the primary approval authority.

He said the subdivision by-law currently contains provision which would allow the approval of the subdivision before any services are built or installed. This provision requires the developer to enter into a subdivision agreement with the municipality and post a bond which guarantees that later construction will have primary and secondary services. Primary services are the underground services - storm and sanitary sewer, water lines and road bed. Secondary services are generally the grade level services of streets, curbs and sidewalks. He said in the past the Department of Transportation has required that streets be built before approval is given. He said now home construction can begin even though the required services may not be in place for some time. Under the proposed amendments sewer and water services would be available when home construction starts and there would be a road bed to provide access. He said this would still allow early lot sales by developers and earlier construction starts. The construction street would be guaranteed by a bond posted by the developer in an amount 120% of the estimated cost of the street construction. If the developer fails to construct the services by a certain time then it would be cashed and the municipality would have the work done.

He said in the past there has generally not been any overall comprehensive planning required although in some cases DOT has requested overall concept plans. He said the developers usually come in with applications on a phase by phase basis which are evaluated in isolation of the subdivisions and traffic patterns. He said this can result in a confusing and inefficient street

pattern which does not fit into an overall transportation network. He said there is a requirement for an overall concept plan under section 7.7. The proposed final layout of subdivision for the whole area planned has to be shown illustrating the function network of local, collector and arterial streets in order to properly address traffic flows. The concept plan would also have to incorporate any collector or arterial streets as shown in the MPS or any transportation plan that would be approved by council. No approvals will be given to any subdivision until the concept plan is considered satisfactory. He said for safety and traffic reasons, subdivisions with more than 75 would have to have two public street accesses to existing streets. He said abutting subdivisions will now be required to be linked to each other by a municipal street. He said the intent of these provisions is to ensure a higher standard in subdivision which will provide benefits to developers, residents and the municipality.

He said another amendment is with regards to the paving provision. All new and extended streets within the serviceable areas and water service districts will have to be paved. Paved services protects the water distribution system and also reduces overall street maintenance costs. He paving requirement represents more of a user pay approach. It is recognized that the municipality incurs costs with the approval of every new development. The required paving will reduce those costs. He said in the long term will provide savings for the property owners as paving and road construction is substantially cheaper than in a post development situation. He said it is recommended and supported by staff that all streets in the core area of the municipality should be paved. He said this is a major amendment which cannot be made at tonight's meeting.

He said another issue being dealt with is the issue of sidewalks. In the past, they have not been required and have been provided on an ad hoc basis through a DOT cost sharing program which is now discontinued. The most efficient approach for sidewalks is to require them in all new serviceable areas of subdivisions on streets. Section 12.13 of the by-law establishes that sidewalks have to be provided. He said there are some provisions that would allow the development officer to waive the sidewalk requirements under certain circumstances. He said this will also help the municipality in playing catch up in existing developed areas by implementing an ongoing sidewalk construction program to replace the old Department of Transportation program.

He said private roads are being addressed. He said they are permitted in certain areas of the municipality. These roads have been required to be designed to Provincial Public Street Standards. He said concerns about these roads have been expressed by home owners and fire departments. He said there is a proposed part 17 that sets out minimum construction standards

for future private roads. He said these standards are based on some recommended by the Department of Municipal Affairs and those in use in Lunenburg County. These requirements will ensure a higher standard of private road and still be cheaper for developers to provide these streets.

He said one of the revisions would grandfather existing completed tentative applications which are already in the branch offices. The current wording only gives recognition to applications which received tentative approval by April 1st. This change provides a greater recognition to developers who spent substantial time and money on design work prior to the amendments being proposed and advertised. He said this will allow these subdivisions as well as ones that had tentative approval to be developed pursuant to the current standards. He said there are approximately only six applications effected by this and none of these are for large subdivisions. He said the concept plan was meant to be reviewed in conjunction with tentative application. This will save time and achieve the same goal.

He said 17.1 states that all proposed private roads shown on any tentative or final plan or subdivision shall be designed by a professional engineer to meet the Municipal Service System requirements established under the Municipal Services Systems General Design Specifications. He said this is incorrect. He said the surveyor can do some design work at the tentative stage. He said section 17 should also refer to the existing Department of Transportation road design standards as these will be in effect until municipal specifications are adopted. He said there are some minor clarifications and modifications throughout the by-law. He said these proposed amendments would effectively update the subdivision by-law as required by provincial legislation and policies. The amendments also require a higher standard of subdivision design than is currently in use and also requires a higher level of construction. He said this would result in overall savings to the municipality in the long run. He said staff is recommending approval.

QUESTIONS FROM COUNCIL

Councillor Hendsbee referenced private roads. He said it specifies if it becomes a subdivision street it will have to be built to the standards of municipally owned roads. He said it does not spell out any process on how a private road is to be requested to go over to that status.

Mr. Dickey said under that circumstance the road would have to be built and brought up to standard, certified by an engineer and built to municipal standard. He said it would be turned over to the municipality subject to the procedures set out in part 21.

Councillor Hendsbee asked what requirement is necessary to

initiate to have a road built to standard to be accepted by the municipality if there are a number of residents on a private road.

Mr. Dickey said these amendments were not written to address an exiting development situation. These amendments were intended to deal with future development.

Councillor Hendsbee asked what happens to private roads that presently may not be listed on the schedule and not built to private road standards. Would they have to be brought up to grade with the private road standards or maintained as they presently are?

Mr. Keith Ring said it would require a policy of council. He said any private roads that were to be taken over by the municipality would have to be upgraded to Department of Transportation standards before the municipality will take them over. He said he would assume that the property owners, fronting on that street, would have to pay for it.

Councillor Hendsbee said he is concerned that if, in the future, circumstances has it that a private road has to be upgraded to subdivision standards, there is enough width to provide for the right of way.

Councillor Deveaux said the report is talking about new private roads that are being developed in accordance with new subdivisions. He said there is no reference to existing private roads. He said there are existing private roads in his district. He said some of these roads could not meet the criteria as laid out in the report. He said if a decision is not made this evening he would hope council will be willing to meet to decide what can be done regarding these existing private roads. He said he would hope that some decision could be reached by council as to what criteria would be laid down when the time comes that the residents of some of these existing private roads wish to have them taken over and listed as part of the municipal highways. He said there was an agreement signed between the municipality and the highway department agreeing to plow these roads for a five year period. He said to his knowledge there are two or three years remaining of that agreement. He said he would hope some arrangements can be made whereby council can deal with this so that if the residents wish these existing private roads to be taken over and listed.

Deputy Mayor Cooper said that is one of the items that should be brought back to staff for recommendations.

Councillor Merrigan asked for clarification of Section 17.1 (b).

Mr. Dickey said that allows a private road to be approved as a

separate lot.

Councillor Merrigan asked for clarification of Section 2.2.

Mr. Dickey said that is basically precluding a private road from being subdivided at a later date.

Councillor Merrigan said that what is being said under section 17.1 a private road is a separate lot but it is not recognized in the subdivision plan as an area of land and therefore cannot be subdivided. Mr. Dickey confirmed this.

Councillor Merrigan said he does not see the purpose of private roads for residential developments. He said if the municipality is going to allow private roads, not only should they meet certain design criteria but also should be able to be built. If you don't own the piece of property which is being designed for a private road then it should not be approved. He said one of his concerns his who has the right to use that private road. He said for example could it be used to bring fire trucks down in the case of a fire.

Mr. Dickey said it would be private property and someone would have the right to say who could access it. He said the county may not have any say because it is private property.

Councillor Merrigan asked if it was being suggested that the cost for paving on those streets in the rural areas are going to be less stringent than those in the urban areas. He said the lots sizes are bigger. He said, in his opinion, there is no way the same rules and regulations, for paving, should apply for outside the serviced areas.

Deputy Mayor Cooper asked if it was intended that new private roads could have ownership by more than one person and therefore not be able to be developed. He asked if all the land area have to be owned in one lot and be able to be developed to whatever the width is before it can be approved.

Mr. Dickey said the ideal situation would be that the private road would be on one parcel of land owned by one person. He said private roads usually pass over two or more parcels of land owned by more than one person and, as a result, easements have to be provided by every land owner for the purpose of providing the private road.

Councillor Snow asked if the criteria for takeover, by the municipality, for private roads remain the same - that the people on the road or the developer upgrades it to the Department of Transportation standards before it is taken over by the municipality. He said he would hate to see existing private roads taken over by the municipality and upgraded with municipal

tax dollars. He said he hopes that before these roads are taken over they are put up to standards before they are taken over.

Mr. Dickey said that is not addressed in the subdivision by-law. He said that would have to be addressed by an adoption of a by-law by council.

Councillor Hendsbee asked if there was a possibility of the elimination of private roads in the urban core.

Mr. Dickey said it is possible to prevent future development of private roads anywhere. It would require amendments to the subdivision by-law and plan amendments to the municipal planning strategies. He said this could be accomplished through the plan review process.

Deputy Mayor Cooper said two letters had been received, one from Stoneridge Properties Ltd. and one K. W. Robb Associates.

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

Mr. Kevin Saunders, President, Stoneridge Properties Ltd. addressed council. He said he would like to see an amendment made, at a future date, for the paving. He said there is some flexibility with regards to applications that were in before April 1st. He said this is putting a company, such as his, in an awkward position. He said he had suggested that maybe the by-law could be approved and amend the date for the paving for a two year period. He said this would help keep a company, like his, from being squeezed really bad.

Deputy Mayor Cooper said the municipality is responsible for new paving on April 1st. He said maintenance stays with the municipality and something was needed to be in place to address these concerns. He asked the solicitor if any delay in paving standards, such as suspension for two years, would be considered a major amendment and whether it could be considered by council this evening.

Ms. Fitzner said that has been determined that this would be a major change. She said what council is confined to tonight are changes that would be considered clerical in nature and the changes that are before council are clarifications of what the original intent was rather than a major change which is what this would be.

Deputy Mayor Cooper said with regards to the urban core areas the change is being recommended by staff and would not be addressed

at this meeting but would be a future amendment.

Mr. Saunders said paving is not a big issue when people buy lots. He said the Department of Health does not differentiate because you have central water. They use the same standards for lot size as if there wasn't any water. He said lots have been purchased in his subdivision because there is no paving. He said he could not absorb the cost to make these changes and as a result sales may be lost. He said he would suggest that maybe the requirement for paving be taken out for a while.

Deputy Mayor Cooper asked if the provision in the proposed changes regarding tentative approval disallow or mean that paving will not be required.

Mr. Dickey confirmed this. He said Mr. Saunders has a tentative application in now which, under the proposed amendment, is a completed application. If the amendment goes through he would not have to pave his next phase. All the subsequent phases would have to be.

Deputy Mayor Cooper confirmed that anything that has received tentative approval or there is a complete application and it receives tentative approval will still be done under the old standards and provisions and anything in the future will be required to meet the paving requirements.

Mr. Dickey confirmed this.

Mr. Saunders said he took the rest of his subdivision and made an application for tentative approval for all the remaining lands. He said if this goes through it will help him but his financing is set up per lineal foot for the road and water. He said at the time he drew up his master plan, paving was not a requirement. He said water was also not a problem at the time his master plan was drawn up. He said he had all this approved prior to purchasing his land. He said there are lots presold. He said the buyers have indicated that they are not interested in purchasing if it's going to be paved. He said they are buying there because it is not paved.

Deputy Mayor Cooper asked Mr. Saunders if he had tentative approval of all his lands. Mr. Saunders said he did not.

Deputy Mayor Cooper asked Mr. Saunders if he had a completed tentative application. Mr. Saunders said he has a small portion in for tentative approval at the present time.

Deputy Mayor Cooper asked what percentage. Mr. Saunders said it shows seventeen lots but after inspection by the Department of Health it may be cut down to ten lots.

Deputy Mayor Cooper asked if he had tentative approval. Mr. Saunders replied "no" the application is on file with the County.

Deputy Mayor Cooper asked if it was a completed application. Mr. Saunders said that the Director of Planning in Sackville had indicated that it was a completed application. He said he has another application which he will be submitting in the next couple of days.

Deputy Mayor Cooper asked if Mr. Saunders was asking that the bulk of his lands be given some consideration. Mr. Saunders replied it is not the bulk because he already has the bulk of it. He said he is restricted in obtaining more land because he is bounded by highway 102, the Cobequid Road, Lakeview Road and Sucker Brook Road. He said the land is about two thirds developed. He said he has approximately thirty lots left to be done.

Deputy Mayor Cooper asked if it had tentative approval. Mr. Saunders said it does not have tentative approval but hopefully the application will go in by the end of this week. He said he has had to drop other projects and put all his effort into this to get it through.

Deputy Mayor Cooper asked if staff has discussed when the cut off is for these completed tentative applications. Mr. Dickey said April 1, 1995 has been discussed and chosen as the cut off date because that is the day the municipality becomes responsible for all the approvals of roads.

Councillor Rankin asked if it could be considered a minor amendment to exercise some flexibility relative to the time line and extend beyond April 1, 1995 to enable more opportunity for submissions.

Ms. Fitzner said in her opinion that would change the nature of the intent of this By-law and what the requirement was. She said she feels it would be a major amendment.

Councillor Hendsbee asked if mandatory paving was to be a requirement after April 1, 1995 would a street have to be paved before a lot could be sold.

Mr. Dickey said the street would not have to be paved before lot sales. He said that would fall under the provision for bonding through use of subdivision agreement whereby final endorsement could be given, a developer could post a bond and the agreement would be good for a period of time. The street would have to be paved after that period of time.

Councillor Hendsbee asked what percentage of the lots on a road in question would have to be sold to be threshold and have to be

paved within a certain period of time.

Mr. Dickey said there would not be any percentage it would be just what the standard subdividers agreements says.

Councillor Hendsbee said that perhaps there should be a requirement for paving after a certain number of lots are sold.

Councillor Merrigan can decision be deferred on part of the By-law.

Ms. Fitzner said some of the portions could be exempted from consideration at this meeting. She said it would mean that as of April 1, 1995, if the rest of it got approved, then the original would continue in effect. She said council would just be changing the portions that were approved tonight.

Councillor Merrigan said it is his understanding that it is the policy of the Department of Transportation that in all serviced areas you have to pave streets. He said the change in this one is that the County is going to require that the water service areas now are going to be included in that. Mr. Dickey confirmed this.

Councillor Merrigan asked if Council deferred the extension into water service areas is the County will there still be a requirement, under this policy, for paving in serviced areas.

Ms. Fitzner said if Council approves a portion of it it would mean that Council is approving a portion and what was there and has no changes approved remains in effect.

Deputy Mayor Cooper asked if there is not an approval by April 1, 1995 and the province who, as of that date under Service Exchange has given that responsibility to the County, is no longer responsible does that leave the County out in left field.

Mr. Butler said it is his understanding that the Department of Transportation will review new applications after April 1, 1995.

Mr. Saunders said if the County is following existing regulations for road design why can't they follow it for paving.

Deputy Mayor Cooper said what council is saying is that if a particular area of the By-law is not approved tonight there will be no regulations and no approval process in place.

Councillor Snow asked if there was a way for council to do a grandfather amendment clause for those developers who have a master plan in place which was approved by the Department of Transportation.

Deputy Mayor Cooper said that those that have tentative approval of a subdivision or those that have a complete application in and receives tentative approval will not be subject to the new regulations. They will be grandfathered under the old regulations. He said it is only for new applications.

Councillor Snow asked if as a result of Mr. Saunders having his subdivision started could it not be grandfathered. He said after the 200 acres, approved under the master plan are used up, he could then come under the new criteria.

Deputy Mayor Cooper said that, under the regulations, if he does not have the tentative approval or complete package in for tentative approval then he cannot be grandfathered.

Councillor Rankin asked if there was any way an adjustment could be made to the date that could be considered as a minor amendment.

Ms. Fitzner said the date of April 1, 1995 was the operative date and to her knowledge no others were considered. She said notice has not been given to other developers with regards to the possibility of changing the date and if that is done they would have to be given an opportunity to come and speak to that issue.

Councillor Naugle said this issue is dealing with the livelihood of many people. He said in his opinion there has to be some leeway with regards to the timing. He said he would ask staff to try to come up with some reasonable deadline.

Deputy Mayor Cooper asked if there was a public participation session held, with regards to these amendments, during the process to hear public input.

Mr. Butler said there was one meeting of the Planning Advisory Committee where submissions were invited. He said they have responded to concerns expressed as best they could.

Deputy Mayor Cooper asked if the subject of paving was considered by staff.

Mr. Butler said paving certainly was. He said the original recommendation made to the joint Service Standards/Planning Advisory Committee, relative to paving, was that paving be required for all new roads throughout the entire county. He said it was the compromise position of that meeting was that paving would not be required beyond the water service districts. He said it was felt to be appropriate that within areas where there would be one or both of the central services provided, that paving should be required. He said that is the recommendation being made to council at this meeting, a compromise position from what staff had originally recommended.

Councillor Hache said she feels that the April 1st date is too hard a date. She said she would like to see an extension so that developers can get their plans in.

Deputy Mayor Cooper asked if Mr. Saunders does not have tentative approval or a complete application in for the lands how long a time frame was he looking at.

Mr. Saunders said a one month extension would be sufficient.

Councillor Merrigan said his concern is that there is a problem at the present time dealing with the extending of requirements for paving. He said at the present time paving is required in any serviced areas within the County of Halifax through the Department of Transportation. He said if the County says, today, that it will stay with that and revisit this requirement at a later date would the County be making a minor or major change to the By-law.

Mr. David Coles, Boyne Clarke, addressed council. He said he wished to address Section 17 (1); 4.7 and 7.7. He said in his opinion council has not really considered that it is about to embark upon a major departure from the way the planning process has worked and is intended to work. He said the County is going to be put at a tremendous disadvantage in terms of the rest of the province. He said there has been a situation of late between the engineers and certain surveyors which has resulted in the courts throwing out the engineers attempt to argue that you have to have an engineer approve plans at the tentative stage. He quoted from the decision of the court of appeal. He said at the tentative stage what is really going on is the developer wants to carve up his lands. He said you have to identify the road reserve and if a surveyor is hired to do that he is capable of putting it on paper. He said the standards are laid out in the Department of Transportation Blue Book. He said the County requirements now duplicate this. He said you cannot get away from a surveyor being required to be involved in the planning process because it is the surveyor that has to certify for purposes of passing title.

He said the County plan will now add, at the tentative stage, a requirement that the County also has an engineer design.

Deputy Mayor Cooper said a memorandum circulated by staff, today's date, indicates that a surveyor can be used to carry out the function at the tentative stage. He said that would be a minor change incorporated at the meeting tonight.

Mr. Cole said if the intention is design by a professional engineer is removed from 17 (1) then, referencing 4.7, the other problem is the notwithstanding anything else the development officer may simply refuse. He said if this is what is being

adopted as a by-law a developer would be cautious of spending the money and moving into Halifax County with this kind of open criteria allowing the development officer to simply refuse. He said the deletion of the requirement in 17.1 he does not feel will solve the problem. He said the concept of the involvement of the professional engineer is pervasive throughout. He said his client was aware that this was a public hearing and has attempted to come to grips with what these documents are saying. He said to approve this at this point is premature.

He referenced 7.7. He said, as drafted, it could not be approached to say what the limitations are. He said any tentative plan is necessarily part of a larger area of land. He said the developer may or may not own that land surrounding the development. He submitted a copy of the court of appeal decision.

Deputy Mayor Cooper referenced 7.7 and asked if consideration had been given to how large an area, that had potential for development, would have to have a concept plan and how many people would have to own it before that tentative application could be considered complete.

Mr. Dickey said it was recognized that you may have a person who owns ten acres who may just come in and subdivide half of it and the County will require a concept plan for the other half. He said depending on the configuration of the lands around it, if those lands do have subdivision potential, then the County will be looking for some sort of basic concept plan for the future development of that. He said it would not be a detailed one but one that perhaps would show general locations of future roads.

Deputy Mayor Cooper asked if it could extend upwards in acreage owned by five or six people and if one person doesn't want to get involved in the concept plan a tentative approval, by someone else, could be turned down.

Mr. Dickey said it would not be turned down. The intent in a situation like that would be to try to get comprehensive planning done. If a number of owners don't want to be involved at that stage then they are not going to require someone to pay for a concept plan on someone else's land if he is not interested in participating.

Deputy Mayor Cooper asked if a person, immediately adjacent to that one seeking tentative approval, did not wish to become involved or to submit a concept plan is it likely that the person seeking the tentative approval be denied that tentative approval.

Mr. Dickey said he would not be denied. He said they would like to see it as much as possible. He said if someone is not interested in participating the County is not going to shut the

door on the original land owner.

Mr. Cole said the rural municipality is different than the City of Halifax in terms of abutting land owners and size of requirements for this survey. He said 7.7 says "the development officer shall require" which is a cause for concern and reconsideration.

Mr. Bob Daniels, Executive Director, Nova Scotia Association of Land Surveyors addressed council. He said he is not convinced that due process has been served. He said the Association was not asked for any input into these amendments. He said the document makes reference to duties and tasks of the Nova Scotia Land Surveyors. He said they have asked for an opportunity to participate in these new regulations as early as last summer. He referenced the section dealing with instrument of subdivision. He said a number of years ago municipal council decided that instrument of subdivision was not in the best interest of land development and land management of Halifax County and decided not to have such a process. He said it is in the proposed amendments in several places. He said there had been discussion between members of the Association and several development officers with respect to a two step final approval subdivision. He said that is a final subdivision plan that receives final approval and then after construction there is final approval by endorsement. He said this was pointed out, by some developers, that this caused excessive expense and time delays and it was not the most effective process around. The development officers agreed with this and it was his understanding that these new amendments would consider that and perhaps make changes.

He said he would like to suggest and recommend that these amendments be deferred until everybody has had an opportunity to participate in them. He said this is not only playing with people's livelihoods but going off in directions which perhaps are not in the best interest of future development of Halifax County.

Councillor Hendsbee said he feels that after April 1, 1996 there may have to be a streamlining of process.

Mr. Daniels said it seems to him that perhaps the County could live with the existing conditions for the next twelve months, until amalgamation, and then put the whole package together.

Councillor Hendsbee asked what does the municipality do for the one year.

Mr. Daniels said they could use their regulations.

Mr. Dickey said Mr. Daniels had referred to instruments of subdivision. He said he is not aware of anywhere within the amended by-law where the use of those will be permitted. He said

streamlining of the approvals is being looked at separately. He said there is a committee of development officers and engineering department staff looking at changing that process.

Mr. Daniels said what council intends to do and what it would like to do, if it is not in the proposed amendments, they don't know where it will end up.

Deputy Mayor Cooper asked how instruments of subdivision applied.

Mr. Dickey said where it is referenced are existing clauses which are not being changed. He said the county does not permit subdivision by instrument. He said the county policy is that it does not permit subdivision through that route.

Mr. Butler said that staff has been undergoing a comprehensive review of the subdivision by-law which Mr. Daniels is referring to. He said it is intended to have consultation to deal with instruments process. He said the amendments before council tonight are those related to roads. He said it was not the intention to deal with any other amendments other than those directly related to roads. He said they intend to come forward, later in the year, with changes that will talk about instruments and some of the processes in an overall comprehensive review.

Deputy Mayor Cooper asked what sections were being discussed at this meeting.

Mr. Butler said what is being discussed is highlighted. He indicated what changes were being suggested. He said the only relevant portions are the ones where there is a change shown either a deletion or a new clause being added.

Councillor Reid said there seems to be a lot of confusion and misunderstanding. He said what he is hearing is that the public does not feel comfortable with not having a chance for input. He said he realizes that the municipality is on a deadline to put something in place but he does not feel that council should not do something that would be a detriment to the municipality down the road.

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

'THAT THIS ITEM BE DEFERRED AND THAT THERE BE DAYS SET UP WHERE THE PUBLIC CAN COME IN AND MAKE THEIR COMMENTS, IN RELATION TO THE AMENDMENTS THAT ARE BEFORE COUNCIL THIS EVENING, AND THEN FOR THE AMENDMENTS TO BE BROUGHT BACK TO COUNCIL AT AN APPROPRIATE TIME AFTER THE PUBLIC HAS HAD A CHANCE FOR FULL INPUT''

Councillor Reid said he does not know what effect this will have on the takeover of roads but he does not feel council should do

something that isn't in the best interest of the county.

Mr. Dickson said the by-law has to be amended at some point to permit the municipality to deal with subdivision applications.

Councillor Hendsbee said he does not feel that this should be deferred because the county will need some form of empowerment by April 1, 1995 to deal with subdivision applications. He said after that time the Department of Transportation will not be responsible so; therefore, everything will be held up.

Councillor Merrigan said he does not feel the motion is in order.

Ms. Fitzner said council can accept or reject the amendments tonight and adjourn to a later date and do further public notice but, in her opinion, deferment part way through a public hearing is not in order.

Mover and seconder agreed to withdraw the motion.

Mr. Barry Zwicker, Wallace MacDonald Lively, addressed council. He said his presentation was not as a representative of any individual or client. He said he has a hard time accepting what is being looked at deals simply with the issue that the county has to take over responsibility of roads on April 1st. He said the requirements for subdivision approval has always been and will always be with the County of Halifax. He said on April 2nd the responsibility will be the County of Halifax. The only issue that changes is who owns the streets and who is responsible for maintenance of those streets. He said in a situation of where streets are to be built, under what specification they are to be built. He said it would be his position, if the only issue that the County is concerned with is how to deal with the issue of streets on new subdivisions, this by-law can't be in place by April 1st. He said the county should take the Blue Book from the Department of Transportation and for the next six months use it as the county standard so things won't change.

He said it is his recommendation that the County needs a working session. He said this kind of fundamental change cannot be put in place without affecting everybody. He referenced the subdivision by-law section 2.23 definition for watercourse. He said the definition that is used for watercourse in this subdivision by-law should be exactly the same definition that the Department of Environment uses for watercourses. He said there are sections in the subdivision by-law that still require the Department of Environment input. He said when there are two different definitions you are going to create confusion from the consulting world and from the approval world. He said they are going to have to prepare plans that show different things because two different agencies define a watercourse in two different ways.

He referenced page 9, section 4.7. He said a by-law has to be a document that is as clear as you can make it. The administrators of that by-law have to have something that they can understand. They have to have the understanding that if a developer meets all the requirements under the by-law then he can expect approval. He said section 4.7 brings in a number of very discretionary objective items that nobody is going to be able to be able to prepare for in advance. He said it creates a situation of total uncertainty in terms of the person who owns land and the person who is trying to design a subdivision within the municipality. He said the issue listed in 4.7 (a to e) are more appropriately contained within the MPS. He said these are the items that should be looked at before the municipality zones land and designates as capable for development. He said it is too late to deal with it in a subdivision by-law. He said it would be the wrong time.

He referenced section 7.3.3. He said what is being asked here is that a fourth clause be considered under this tentative approval section. He said section III is requiring you to pin the boundaries of the land for tentative approval. He said he would ask council to consider, in an area of land where you have the perimeter already surveyed, that there should be no reason that the tentative plan of approval require that that be surveyed and that it be monumented. He said as you progress through the tentative approval stage that is likely to change. He said the configuration of the land that might have been originally applied for tentative approval changes. He said he is suggesting that assuming that the surveyor determines that the boundary is fine, council should exempt that and waive that requirement so that a developer does not have to pin that and create that survey line.

He referenced section 7.7. He said this is dealing with the conceptual plan. He said the issue of developing a conceptual plan is a smart thing to do. How it is implemented is a tricky process. He said if one person does not want to get involved and the person next door wants to plan his land for a subdivision then, in some fashion, he has to take that land into consideration and has to do a conceptual plan. He said from a cost point of view someone will have to be paid to do that. He said a developer should not be asked to incur the cost to plan someone else's land especially if the person who owns that land does not want to get directly involved with the process. He said the ideal of conceptual planning is good when it comes to infrastructure but realistically it has to be led by the municipality. He said the county cannot expect master planning to be done by a subdivider or by a developer.

He referenced 7.9b. He said this is a follow up on the conceptual problems and he feels if it is put in place it will cause the municipality some problems with respect to maintaining the present guidelines or deadlines applied in the planning act

in terms of how the municipality reviews a tentative plan and ensures the application is complete. He said from the time an application is made the development officer has fifteen days to decide if that application is complete. He said this clause is suggesting that in order for the development officer to come to that conclusion, he has to come first to the conclusion that the conceptual plan is capable of conformance with the MPS. He said he feels the conceptual plan is difficult to implement by a subdivider and will be impossible to meet the deadlines imposed by the planning act of fifteen days.

Mr. Dickey said section 7.9b is being deleted and will be gone if approval is given to the proposed amendments.

Mr. Zwicker referenced section 8.1. He said this section is dealing with who you should refer plans to. He said there are a number of agencies such as Canada Post and MT&T that have to have referrals made to them on a subdivision plan.

He referenced section 8.3. He said this is stating that you cannot refuse a tentative plan unless it does not comply with this by-law or does not comply with some provincial law.

He referenced section 9.3 (a) III. He said this deals with the final plan of subdivision application. He said you have to receive final plan approval before you can go out and construct in the ground. He said III says that this has to be certified and stamped by Nova Scotia Land Surveyors subject to the requirements of the Nova Scotia Land Surveyors Act. He said that means that before a surveyor can sign that plan and submit it for final approval and before the municipality will review those plans, all of the monumentation has to be done. All the pins have to be put for every lot in every parcel that has been created. He said assuming that the plan goes through that approval and gets approved, without any changes, you then have to construct roads and services. He said before approval and final approval at least fifty percent of those pins are gone. He said either the land developer has to incur the cost of reinstating those pins or the people who buy those lots just don't know where those pins are. He said the suggestion here is that the pinning is important but it is important for endorsement, it is not important for final approval. He said council needs to change this to actually accept the fact that those things get destroyed during construction.

He referenced section 9.5 (a) V. He said he feels the municipality needs to make an addition to make this clause more relevant to what the county is trying to do here. He said this section is dealing with elevations and lot grading. He said that section needs to be strengthened to say that these elevations shall be based on actual field measured survey not aerial mapping. He said people should not be doing grading plans based

on aerial mapping. He said they should be doing it based on actual topographical surveys.

He referenced section 9.5c. He said this he feels this clause is worded reasonably well. It is saying that additional information has to at least show that it meets the requirements of this by-law. He said a clause like this is needed to ensure that the additional information is directly pertinent to ensure that the plan meets the requirements of the by-law and isn't open ended.

He referenced section 12.6. He said this section is talking about the requirement to have a second access out of a subdivision. He said where that is possible it should be done. He said most developers do try to provide more than one point of access not only for safety and traffic point of view but also for market point of view. He said there are some cases where that is not possible or not possible until later phases in the development has gone beyond seventy five. He said one way to solve this would be to have boulevarded streets but municipal servicing specs forbid boulevarded streets.

He referenced section 12.8 which states that all streets shall be designed to utilize existing topography of the site subject to the requirements of the municipal servicing system general specifications. He said that says a maximum of eight percent grade and in some cases you can go to ten if you have two points of access but only if the first point is less than eight percent. He said a private road can go to twelve. He said in other municipalities in this region you can go to ten percent, twelve or even sixteen percent. He said it is a positive thing to have.

He referenced 12.9. He said this is dealing with arterial streets and collector roads and he does not know of any municipality where a subdivision by-law envisages that a private land developer is going to build an arterial street. He said those are not subdivision roads but ones that are either built by the province or the municipality to help the total transportation system within your jurisdiction. He said it is totally unrealistic to think that you are going to have arterial roads built by a land developer. If that isn't an issue and the requirements are being put in to suggest how arterial roads are going to be built, that is good in his opinion. He said what the county has to have, in order to make this work, is a process of cost sharing. There has to be an acknowledgement between the land developer and the municipality that there is good reason to increase road standards in some areas. He said if the municipality has a desire to put an arterial road through a particular development then it should be in a position to cost share with the developer to make it happen.

He referenced section 12.10 dealing with walkways. He said there is no provision in terms of a rural pathway or walkway. He said

he feels the municipality should start thinking about how it differentiates between some of the urban sections and rural sections of the municipality.

He referenced 12.13b which talks about sidewalks on collector streets. He said it states that you need them on both sides unless the engineer determines that one side will be sufficient. He asked under what conditions are sidewalks required on both sides on a collector road going through a subdivision. He said he does not know. He said to have sidewalks on both sides of a collector street is a requirement that, to his knowledge, no one else has. He said instead of asking the question and providing the discretion to say developers could reduce from two to one, the county needs to set up a mechanism to find out why you need to go from one to two.

He referenced section 15.4. He said this is talking about who receives notice of endorsed approval. He said it should be added to that who gets a copy of the plan. The surveyor, Department of Transportation, Department of Health and the owner all should get a copy of the endorsed plan not just a copy of the notice.

He referenced section 16. He said what is needed to be known here is when and how there is going to be a public opportunity to review and discuss those things in detail. He said once you get past the by-law it is the servicing specification details that are going to make or break some of these projects.

He referenced section 16.3. He said private roads are allowed in this by-law and to his knowledge they are allowed in a water service district. He said inside a water service district you must construct a water distribution system. He said that is contained in 16.1c. He said in section 16.3 II it says no water distribution system shall be extended to service an existing or proposed private road. He said the county is going to permit them. You can't develop them unless you put in a water distribution system and that clause prohibits you from putting a water distribution system on a private road.

He referenced section 21.1h. This says that all of the road reserves and streets etc. have to be certified that all property to be conveyed is free from all encumbrances. He said there are lots of times when a new subdivision comes along that either goes under a wire or over a pipe or railway track. He said the municipality is going to receive a deed for the street and it is not practical to remove those encumbrances from the deed. He said he would suggest that the county might want to convey, free of all encumbrances, with the exception of things like utilities, water, sewer, railway crossing, overhead power lines etc. He said he would like to suggest that a section be added that deals with temporary turn arounds. He said in subdivisions where they progress by phases, there are two ways of dealing with that road

when you come to an end of a phase. He said you put a temporary circular turn around on it or put a little hammer head T shape on the end or an L shaped turn around. He said now they are required to be deeded to the municipality and then ultimately have that deed released when the developer moves to the next phase. He said they should be dealt with through an easement not through a deed. He said so that your normal fifty foot wide width for a deed is maintained and little hammer head or cul-de-sac bubble is set up as an easement to the municipality.

He said at the February 20th meeting and in correspondence of February 1st they suggested that the county have some kind of a working session. He said his firm would like the opportunity to sit down and for whatever amount of time that it takes, to work out these by-laws and the servicing specifications. He said there is a greater municipal interest, there is the interest of the private land owner and there is the interest of efficient land development. He said with those three interests being brought to the table, and without the pressure of time, that a by-law would be back in front of council that the majority of developers would speak in favour of. He said if council deals with the issue of April 1st in terms of taking over or assuming DOT standards that are presently there to get the municipality through that hurdle, remembering that the municipality is going to continue approving subdivisions to some level, it will have resolved a lot tonight and will have set up a process that will be much more satisfying for all of those who have participated in it.

Councillor Rankin asked if the council had the ability, at this meeting, to incorporate the DOT regulations at this public hearing.

Mr. Zwicker said it is not his position that this be done tonight because it has not been advertised.

Councillor Rankin asked what was Mr. Zwicker suggested that the municipality do as of April 1st.

Mr. Zwicker said the municipality would continue to do exactly the same thing it would do while the county was waiting for this to be approved. He said this could not legally be approved by April 1st. He said he would suggest that the municipality continue working in good faith using the DOT standards. He said he feels the servicing specifications can be amended by a resolution of council without making a by-law change and then the by-law could be changed so that where it now says DOT it would say the municipality.

Mr. Mike Willett, Clayton Developments, addressed council. He said they are developing in a number of areas in Halifax County. He said they have a subdivision called Colby South which has

received tentative approval and would come under the existing requirements. He said he would like to ask if there is a mechanism, with the old DOT standards in place, for a review of the subdivisions that were caught in the interim. He said the words "higher standards" suggest increased cost. He said they wrote to the municipality but had not received any formal reply. He said they feel that it is very positive that the county is getting into the highway business and the DOT is removed from the approval process. He said they feel this will clear up a lot of the problems experienced in the past with communications. He said they have been asking for over a period of twenty years for an engineering and specifications book.

He said the county staff is recommending a partial bonding procedure. He said they have been bonding and doing subdivision work in the City of Halifax for twenty years and have found it quite successful and have not been told of any problems with the bonding procedure. He said no one is allowed to get an occupancy permit until the services are completely constructed and formally taken over by the municipality. He said the draft speaks of road sizes, classification, addition of sidewalks, landscaping and street trees. He said he finds it a very detailed item that should be in the engineering standards and not a housekeeping item to make the Department of Transportation make the word to the Municipality of Halifax. He said they have never built an arterial road without cost sharing from the municipality or province. He said they build two sidewalks on collector streets. He said in cost sharing the developer is responsible for the normal development cost which is basically a fifty foot road, a thirty foot travelway, one sidewalk, landscaping and street trees on one side.

Councillor Merrigan said he does not wish to see council rush something through and adopt this by-law tonight. He said there may be something that can be suggested to be put in place for April 1st that may satisfy everyone and give time to receive presentations.

Mr. Paul Pettipas addressed council. He said he has been a developer in Halifax County for twenty one years. He said the county is basically giving the developers a week. He said if the system has to be shut down for a while he would accept that because the proposed by-law is going to shut him down and hinder him for the next ten years. He said he wrote a letter on February 14th which he referenced for council. He said when he bought five hundred acres of land in 1989 he submitted a master plan. He said it showed where the roads were going to go and the phasing. He said what is being done is changing the ground rules. He said Fall River Village has over three hundred lots at the present time and the original master plan, submitted to the county, had no such collector street and, at this time, it would be impossible to provide one. He said ongoing

subdivisions should be given a grandfather clause whereby they could work under the existing rules for a mutually agreeable amount of time. He said one to two years would seem to be fair and tentative approval should not be the only criteria. He said what the county is asking him to do is to get his surveyors to write things down on paper and hope to get a tentative. He said he will not do that. He said he feels it is not right and makes no common sense whatsoever.

He said the developers of Fall River Village submitted a master plan in 1989 showing the development of five hundred acres of land. He said this master plan should be used unless it clearly violates the spirit of development of Halifax County. He said he developed Fall River Village with over three hundred lots with one entrance because they knew he would be coming out the other end. He said the rules should suit to where you are developing. He said he has a paving petition on approximately 7,000 feet of road in at the present time. He said he has approximately thirteen to fourteen thousand feet of road which doesn't have to be paved. He said when he starts phase 11 the county will ask him to pave. He said he will do it but shouldn't the county at least find out what is going to be done with the area in between. He asked if it would really make sense for the person living in phase 11 to have paving but to have to drive two and a half miles over gravel road to get to it. He said all he is asking is to know the ground rules and, if they are going to be changed, to give him some time. He said if things have to be shut so be it. If an amendment has to be made to carry the Blue Book that the highways department is using now, then let's use it. He said if council approves this it is changing the rules. He said he feels this has been rushed and should be stopped here. He said the municipality is going too fast.

Mr. Ken Robb addressed council. He said he is a land surveyor. He said under this amendment all applications that are made before April 1, 1995, for both tentative and final approval, are to be processed under the present regulations. He said this is a very broad statement and it appears there will be many difficulties encountered in this middle of the road scheme. He said there will be different construction standards on abutting roads. He said there should be written agreements between the two authorities and there should be time constraints. He said it costs a lot of money when good time constraints are not in place. He asked why there are no appeal processes on decisions made by engineers and you can't get it before an appeal court because there is nothing written down to appeal those decisions. He said you can appeal a lot of other things, even tentative plans, but you can't appeal a decision by an engineer.

He said he finds the memorandum full of holes that will cause delays and uncertainties in the future. He asked why the municipal service system general specifications not available at

the present time. He said you need the two of them to read against one another to understand. He said it is difficult to read and understand one section when another is not available. He said it is unfair to the public and developers who end up not having the opportunity to read both together. He referenced section 2.9. He said existing street means any public street. He said that presents a problem because this could mean any strip of land no matter what width. He said this could be interpreted as meaning a strip of land presently in use by the public and still owned by the users. He said there are different categories of public streets and it needs to be broken down.

He referenced section 2.10. He said with what is stated in that section you could throw one thirty five to forty thousand dollar lot away. He said it not useful for lotting and frontage could be reduced with a twenty foot setback.

He referenced section 2.12. He said a public road definition is all that is necessary in the intent to exclude any type of right of way area. If this is not better defined it will result in greater difficulties for developers and municipalities to secure such right of ways as they would devalue a lot possibly making the remaining land unsized and not developable.

He referenced section 2.14. He said within a water serviced area it will be costly to include the paving of roads. He said lot sizes are required to be much larger when they are only serviced by water. He said you still have to have the large lot even if it is served by water, over twenty thousand square feet or larger. He said this would result in greater costs for paving. He said, in addition, when a road is paved it has to be torn up in a short time to install sewer and water services including laterals to existing dwellings. The first pavement would then be useless therefore doubling the cost of paving. He said why not seal coat some of the roads in water serviced areas on an interim basis until such time as the rest of the services are installed. He said the inclusion of street and traffic signs in primary service system is a new cost. He said cost for new homes will rise.

He referenced section 2.15a I. He said for the purposes of a private road the word "storm drainage" should be clarified. He said does it mean pipe storm water, open ditches, culverts and does it mean different requirements in urban and rural areas.

He referenced section 2.16. He said this is a definition of a professional engineer. He said the definition of a land surveyor is not correctly defined in the memorandum. He said it is the land surveyor who does many tasks in subdivision planning. He said the surveyor and the engineer work in conjunction with each other. He said the result of these regulations will take away the present duties of the land surveyors and assign them to an

engineer. He said land surveyors will be unable to carry out the simple function of planning a subdivision. He said the public will want to know what their costs are going to be and those costs will triple if engineers are hired to do these basic tasks. He said all independent land surveying firms in Halifax County will be out of business if they are not engaged in engineering but simply doing survey business. He said surveyors apply engineering principles in their work and are fully insured and protect the public interest.

He referenced section 2.18Aa. He said this is saying that anything abutting a street will have to be stabilized. He said subdividers are going to have to sod to stabilize areas of the street. He said that is never done and it is going to be costly to do that.

He referenced section 2.18Ab. He said in a water service district that has no other services the requirements for paving, curbs, gutters, traffic signals, sidewalks and driveway aprons will be costly items. He said the imposition of all these extras will add at least four thousand dollars to the cost of a lot. He said to fully service a lot in a serviceable area, not including bedrock excavation, is approximately twenty thousand dollars. He said this does not include the land costs, the interest, legal fees, depreciation, bonding costs, credit costs and recreation costs etc. He said land development is now only marginally profitable and the costs will make bank financing difficult and lot sales slump. He said the added requirements will cause developers to create more density in their projects to counter balance the costs. He said this will encourage the construction of duplexes, semi detached and cluster housing. He said it will discourage single family lots for development purposes and cause double taxation for new homes. He said the more services that are put in the higher the taxes. He said it is time the public had a choice.

He referenced section 4.7 a, b, c, d and e. He said all of these should be subject to a written report by the municipal engineer and there should be time constraints. He said every time staff are required to do something, they are not tied into a time constraint. He said it is his recommendation that all of the above decisions should be subject to an appeal process to the municipal review board. He asked why should an engineer be able to turn down an application and then there is no way for the applicant to appeal.

He referenced section 5.1b. He said this section is most objectionable as there could be a hundred abutters. He said research time for identification of current owners is costly and the name of the abutting subdivision and the date of approval should suffice. He said when no subdivision plan is available the names of the correct owner(s) should suffice.

He referenced section 6.1a. He said this should read Department of Environment.

He referenced section 6.1b. He said he cannot understand why all plans for all roads have to be sent to the Department of Transportation. He said there will be many plans for roads that do not abut a road retained under the supervision of the Department of Transportation. He said why should all these plans be sent to them. He asked where were the time constraints.

He referenced section 6.1c. He said this should be deleted as clause "a" makes the Department of Environment the authority.

He referenced section 7.3 III. He referenced section 7.4b. He said the inclusion of the subdivision name and the names of owners of all abutting names is an onerous task. He said it should read the name of each subdivision and the date of approval or names of the owners of all abutting lands.

He referenced section 7.4o. He said this section should read all existing structures on the property being subdivided.

He referenced section 7.4q. He said the location of wooded areas is not necessary and should be removed. It will require a great deal of work to go out and locate tree lines on the ground and separate wooded areas from other areas.

He referenced section 7.4r. He said all that is necessary here is that contour lines at five foot or two metre intervals should be required leaving the contour intervals to the discretion of the engineers not necessary. He said this kind of discretion can be abusive. He said the use of discretionary authority often results in abuse and it should be spelled out what the engineer can ask and nothing more.

He referenced section 7.7. He said this section will cause many problems for developers as it will mean a full survey of a whole parcel of land. It will also require contours, the location of watercourses, swamps, rock formations, wooded areas, flood areas, boundary line surveys of the whole portion, a detailed layout of roads, lots, open spaces, and research for abutting information and total areas. He said this plan, in many cases, will cost more than a partial plan. He asked why is a concept plan needed when only a small portion of the land is being developed. He said in his opinion a concept plan should be done by the municipality and should show a series of collector or arterial roads and major infrastructure. He said he feels the idea of a concept plan should be rethought. He said this is particularly costly in rural areas as there are no boundary lines and many deeds are vague. He said he would strongly recommend against this requirement.

He referenced section 8.6. He said there should be a time constraint regulating the time interval for approvals so the process won't get bogged down by government departments. He said time constraints in the past has imposed financial and excessive burdens on many developers and the process should be tied into a time interval. He said the tentative and final pages proposed in the memorandum are causing many difficulties with developers and sub dividers all over the county. He said the process loads roads in the final stages. He said the time intervals for getting the final plans approved is excessively long. He said he would like to try to have a procedure in place whereby the tentative process would be changed. He said he feels the tentative should be broken down into two stages. He said while developers are doing tentatives they could also be working on finals.

He referenced section 9.5. He said this section is one of the most objectionable of all. He said it will eliminate a Nova Scotia Land Surveyor from a good portion of their normal workload. He said it would require that where any municipal service system or provincial street is to be provided a professional engineer shall design, sign and stamp the drawing that contain plans, design calculations, profile, cross section, details and specifications. He said this means that any subdivision having a proposed road of the minutest size would require the stamp and seal of an engineer. He said the public would have to hire the engineer to do the topographical drainage area, the location of watercourse, areas of runoff etc. He said this regulation will also require the employment of an engineer which will triple the cost to the public. He said he considers the proposed regulation takes away his rights to earn a living. He said this section sets out the duties of a particular professional against those of another professional. He said this was all done without consultation with the Association of Nova Scotia Land Surveyors and nothing has been reported to his council. He said he would ask that this whole matter be deferred until such time as the Association of Nova Scotia Land Surveyors can become involved and make appropriate recommendations. He said the public should be made aware of these future requirements because if they are adopted the public are going to pay a heavy price for survey and subdivision work particularly in rural areas of Halifax County.

He said the province has authorized amalgamation of various areas throughout the county with the intent of forming a single council. He said in view of this everyone should hold off until the new council is in place and try to get along with existing regulations. He said would request that these regulations be deferred.

Deputy Mayor Cooper it is apparent that if these items aren't passed this evening then come April 1st the possibility of not