

**HALIFAX REGIONAL MUNICIPALITY
PUBLIC SESSION**

HALIFAX REGIONAL COUNCIL
Public Session
July 16, 1996

PRESENT: Mayor Walter Fitzgerald
Councillors: Bill Dooks
Gordon R. Snow
David Hendsbee
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
John Cunningham
Graham L. Downey
Larry Uteck
Howard Epstein
Russell Walker
Ron Hanson
Bill Stone
Stephen Adams
Barry Barnet
Robert Harvey
Peter J. Kelly
Reg Rankin
Jack Mitchell

REGRETS: Councillor: Jerry Blumenthal

STAFF: K. R. Meech, Chief Administrative Officer
Vi Carmichael, Municipal Clerk
Julia Horncastle, Assistant Municipal Clerk

TABLE OF CONTENTS

1. PUBLIC SESSION

1.1 Amendment to the Heritage Hills CDD Development Agreement - Eastern Passage 03

1. PUBLIC SESSION

1.1 Amendment to the Heritage Hills CDD Development Agreement - Eastern Passage

Donna Davis-Lohnes, with the aid of overheads, made the staff presentation overviewing the proposed amendments, informing Council that property owners and Ratepayers Association have been notified and advised that staff is recommending the amendments to the Development Agreement as proposed.

Questions from Council

Councillor Schofield noted the amendment would provide less land for the same number of lots, Ms. Davis-Lohnes advised the overall density remains the same.

In response to a question from Deputy Mayor Greenough, Ms. Davis-Lohnes informed Council the normal size for a building lot is 50-60 feet for an R-1 lot.

In response to a question from Councillor Cooper, Ms. Davis-Lohnes indicated there are four neighbourhood units identified. She advised there are no specified guidelines of breakdown of units by type in each neighbourhood.

Councillor Cooper indicated the proposed changes are contrary to what was indicated by the proponents at the public hearing process.

Councillor Cooper asked the Solicitor if the Notwithstanding clause, under Section 5.6, takes precedence over what is being proposed. In reply, Mr. Anstey stated that Section 5.1 and 5.2 would permit the Development Officer to make changes within that section.

Councillor Cooper questioned whether this is a minor or major change.

In response to a question from Councillor McInroy, Ms. Davis-Lohnes informed Council there would be 144 semi detached lots at 32 feet per unit. She noted this is already in the existing Development Agreement and not part of the proposed amendment.

Councillor McInroy indicated the conservation area is a swamp and not developable.

Councillor Hetherington received clarification that approximately 15% of lots that are

presently developed. He noted this could be an ongoing process with amendments being made as the subdivision develops.

In response to a question from Councillor Hetherington, Ms. Davis-Lohnes informed Council there is a density cap on the development.

In response to a question from Councillor Cooper regarding the reduced front yards, Ms. Davis-Lohnes informed Council this was on the 50 foot wide streets. She informed Council that on the higher volume streets, the collector roads, would not be reduced in order to provide for a buffer.

Mayor Fitzgerald called for speakers in favour of or opposition to the proposed amendment.

No speakers came forward.

MOVED by Councillor Hetherington and Deputy Mayor Greenough that the public hearing be closed. MOTION PUT AND PASSED.

DECISION OF COUNCIL

Councillor McInroy stated he does not agree that the proposed changes are minor and informed Council he was not in support of building a single family dwelling on a 35 foot wide lot. He stated this was a substantive enough change to warrant a public hearing process.

Councillor Hetherington advised Council this will be crowding development in this area and was not in support of the amendment.

MOVED by Councillor McInroy and Barnet that the application be rejected.

Deputy Mayor Greenough stated he was not in favour of the amendment as this had gone through the public hearing process whereby the neighbourhood had been given certain assurances.

Councillor Cooper referenced a staff report dated January 10, 1994 which states the removal of 36 foot wide lots was in response to concerns related to small lot development and overall density as expressed by community residents at the public hearing. He stated new category (the 35 foot wide single family units) has been added which was not in the original Development Agreement. He indicated these changes are contrary to what was intended and approved by Halifax County Municipality on the wishes of the community.

Councillor Barnett stated the residents bordering on the proposed development did not want their properties bordering on smaller lots.

Ms. Davis-Lohnes advised that although the lot frontage will be reduced, there will be the retention of approximately 20 feet of natural buffer at the back of these lots.

Deputy Mayor Greenough noted there have been significant changes which the neighbourhood initially had concerns about.

MOTION PUT AND DEFEATED.

**MOVED by Councillor Rankin and Hendsbee that the application be accepted.
MOTION PUT AND PASSED.**

2. ADJOURNMENT

Upon completion of the Public Session at 6:30 p.m. the Mayor called the Regular Council Session to order.

Vi Carmichael
MUNICIPAL CLERK