

D18

THIS AGREEMENT MADE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D.; 1985;

BETWEEN:

Sportwheels Limited, a body corporate, of Lower Sackville, in the County of Halifax, Province of Nova Scotia, hereinafter called the "Developers".

OF THE FIRST PART

- and -

THE MUNICIPALITY OF THE COUNTY OF HALIFAX, a body corporate, hereinafter called the "Municipality"

OF THE SECOND PART

WHEREAS the Developers have good title to lands and premises known as Lot 1-3, of the lands of William Withrow and Sportwheels Limited located on Highway No. 1 (Sackville Drive) at Lower Sackville, in the County of Halifax, Province of Nova Scotia, said lands (hereinafter called the "Property") being more particularly described in Schedule "A", of this Agreement;

AND WHEREAS at the request of the Developers that it be permitted to erect, construct, or otherwise locate a parking lot on that portion of the Property identified in Appendix "A" of this Agreement;

WITNESS that in consideration of the sum of one dollar (\$1.00) now paid by the Developers to the Municipality (the receipt of which is hereby acknowledged), the erection, construction or locating of a parking lot is agreed upon between the Developers and the Municipality pursuant to Section 3.6(d) of the Zoning By-Law for Sackville and subject to the following terms and conditions:

1. That the design of the parking lot conform to the layout identified in Appendix "B" of this Agreement and be constructed in accordance with the following specifications:
  - a) the surface of the parking lot shall be paved with asphalt;
  - b) all parking spaces shall measure at least 8 feet (2.4 metres) in width by 20 feet (6.1 metres) in depth and be identified on the surface of the parking lot by painted lines;
  - c) the parking lot shall contain a single driving aisle having a width of 30 feet (9.1 metres); and

- d) lights used for illumination of the parking lot shall be arranged so as to divert the light away from adjacent properties.
2. That the "Buffer Area" identified in Appendix "B" of this agreement be cleared of debris, or fallen trees and that an adequate tree coverage be maintained to provide a visual barrier with adjacent properties.
3. That the combined gross floor area of the existing premises plus any addition thereto shall not exceed 7,636 square feet (709.4 m<sup>2</sup>).
4. That prior to the signing of this Agreement by the parties, the Developers shall supply to the Municipality all plans and written materials needed to accurately show and explain the manner in which stormwater is to be removed from the Property, wherein with the approval of the Municipality, the said plans and written materials shall form an appendix to this Agreement.
5. That upon completion of the work agreed to in this Agreement, the Developers shall not alter or cause to be altered the general design or layout of the parking lot or "Buffer Area", without the mutual consent of the Municipality.
6. That upon the signing of this Agreement by the parties, the Municipality may at the request of the Developers, amend any or all of the stated conditions by a majority vote of the whole of Municipal Council.
7. For the purposes of this Agreement, all words shall carry their customary meaning except those defined under Part 2 of the Zoning By-law for Sackville wherein such words shall carry the meaning defined therein.
8. Subject to the provisions of this Agreement, the Developers shall be bound by all by-laws and regulations of the Municipality as well as to any applicable statutes and regulations of the Province of Nova Scotia.
9. Upon breach by the Developers of any of the terms or conditions of this Agreement the Municipality, may, after thirty days notice in writing to the Developers of the breach, enter and perform any of the terms and conditions of the Agreement. It is agreed that all reasonable expenses whether arising out of the entry or from the performance of the terms and conditions may be recovered from the Developers by direct suit and shall form a charge upon the Property.
10. This Agreement shall run with the land and be binding upon the Developers' heirs, assigns, mortgagees, lessees, successors, and occupiers of the Property from time to time.
11. This Agreement shall be filed by the Municipality in the Registry of Deeds at Halifax, Nova Scotia, and shall form a charge or encumbrance upon the property.
12. The Developers shall pay the costs of recording and filing all documents in connection with this Agreement.
13. The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not prejudice the validity or enforcement of any other provisions.

WITNESS that this Agreement, made in triplicate, was properly executed by the respective parties on this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 1965.

SIGNED, SEALED AND DELIVERED )  
in the presence of )  
\_\_\_\_\_ )

SPORTWHEELS LIMITED

SEALED, DELIVERED AND ATTESTED )  
to by the proper signing )  
officer of the Municipality )  
of the County of Halifax duly )  
authorized in that behalf in )  
the presence of )  
\_\_\_\_\_ )

MUNICIPALITY OF THE COUNTY OF HALIFAX

WARDEN

CLERK



SCHEDULE "A"

ALL that certain lot, piece or parcel of land situate at Lower Sackville, in the County of Halifax, Province of Nova Scotia, and being shown as Lot 1B on a plan of survey of Lot 1B bearing date the 28th day of February, A.D. 1985, as prepared by R.K. Carrick, N.S.L.S., said lot being more particularly bounded and described as follows:

BEGINNING at a survey marker situate on the eastern boundary of Provincial Highway No. 1, said point also marking the southwest corner of lands of Merlin and Joan Chase;

THENCE southeasterly along a right hand curve, said curve being the arc of a circle having a radius of 1,918.57 feet following the eastern margin of Highway No. 1 a distance of 60.01 feet to a survey marker;

THENCE South 51 degrees 13 minutes 15 seconds West a distance of one foot to a survey marker situate on the eastern margin of Highway No. 1;

THENCE in a southeasterly direction along a right hand curve being the arc of a circle having a radius of 1,076.28 feet a distance of 20.00 feet to a survey marker;



THENCE North 51 degrees 28 minutes 25 seconds East  
a distance of 312.26 feet to a survey marker situate on the  
western boundary of Lot 2;

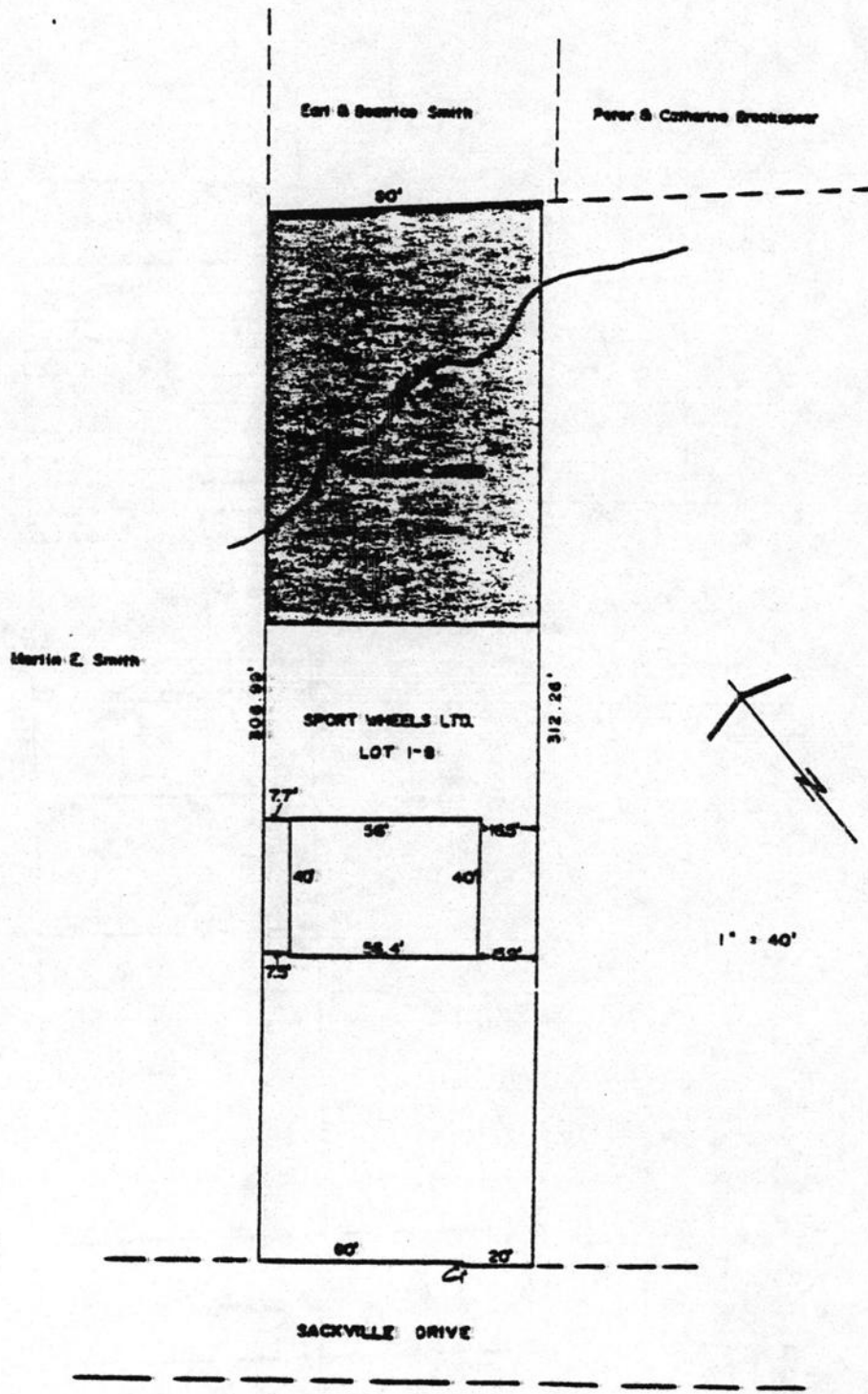
THENCE North 40 degrees 06 minutes 18 seconds West  
a distance of 80.00 feet to a point;

THENCE South 51 degrees 43 minutes 07 seconds West  
a distance of 157.75 feet to a survey marker;

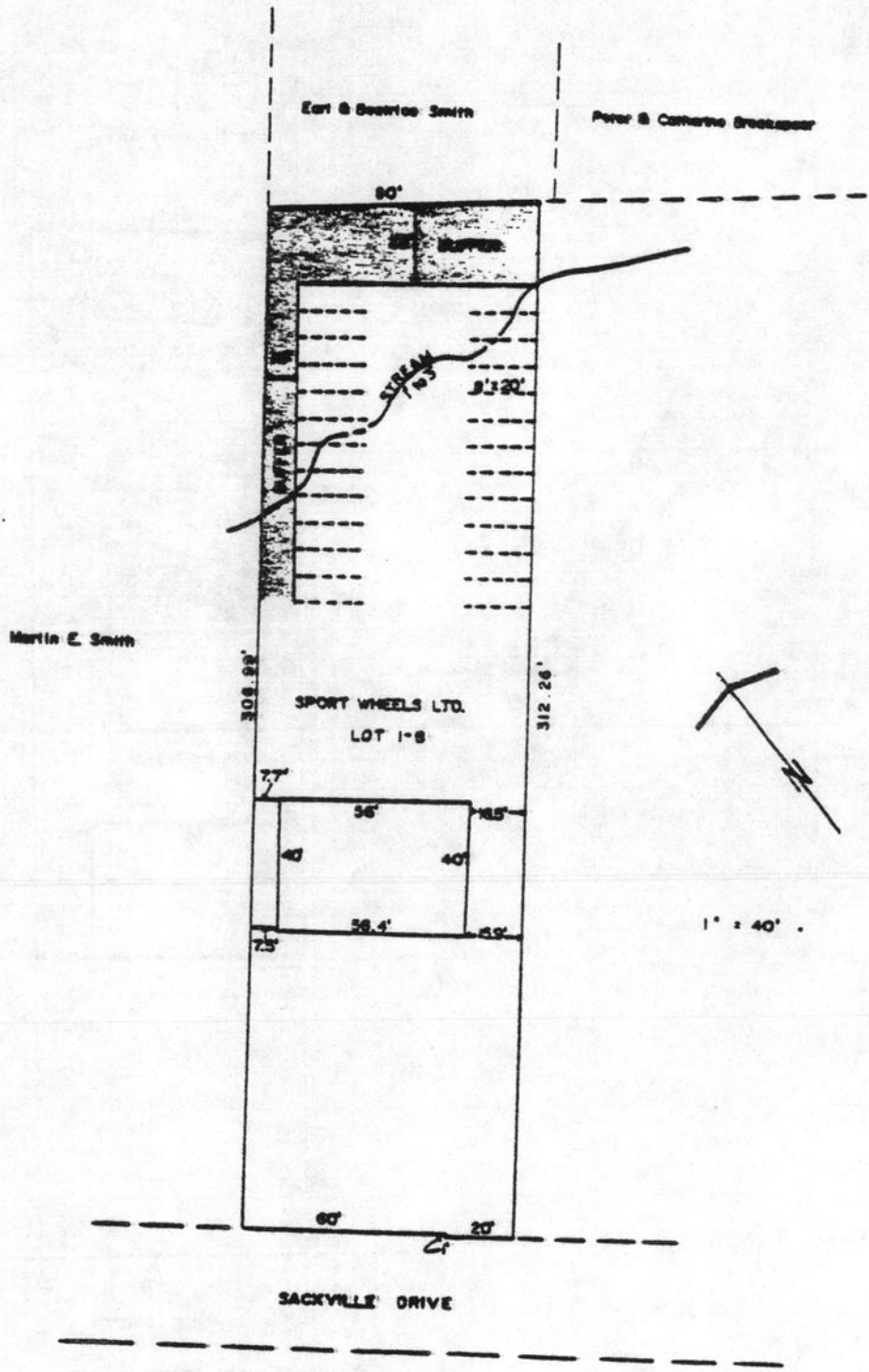
THENCE South 51 degrees 13 minutes 15 seconds West  
a distance of 149.24 feet to the point and place of  
beginning.

SAID lot containing 24,837 square feet, more or  
less.

APPENDIX "A"



APPENDIX "H"





MINUTES & REPORTS

OF THE

FIRST YEAR MEETINGS

OF THE

FORTY - SECOND COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

FEBRUARY COUNCIL SESSION

TUESDAY, FEBRUARY 4 and 18, 1986

&

PUBLIC HEARINGS

FEBRUARY 24, 1986

February Council Session - 1986

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District Capital Grants -----	5 & 40-41
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Motion - Municipal Lands, Upland Park -----	6-8
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Motion - Undersized Lot Legislation -----	16-17
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Uplands Park - Municipal Lands -----	6-8
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Uniform Closing Day By-Law -----	22-25
Vehicle Replacement Fund -----	39-40
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**COUNCIL SESSION**  
**FEBRUARY 4, 1986**

PRESENT WERE: Warden MacKenzie  
Councillor Walker  
Councillor Poirier  
Councillor Fralick  
Councillor P. Baker  
Councillor Deveaux  
Councillor DeRoche  
Councillor Adams  
Councillor Randall  
Councillor Bayers  
Councillor Reid  
Councillor Snow  
Councillor Merrigan  
Councillor MacKay  
Councillor McInroy  
Councillor Eisenhower  
Councillor MacDonald  
Deputy Warden Wiseman  
Councillor Mont

ALSO PRESENT: Mr. K. Meech, Chief Administrative Officer  
Mr. R.G. Cragg, Municipal Solicitor  
Mr. G.J. Kelly, Municipal Clerk

SECRETARY: Glenda Higgins

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Warden MacKenzie called the Council Session to order at 6:10 p.m. with the Lord's Prayer.

Mr. Kelly called the Roll.

APPOINTMENT OF RECORDING SECRETARY

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

"THAT Glenda Higgins be appointed as Recording Secretary."  
Motion Carried.

APPROVAL OF MINUTES

It was moved by Deputy Warden Wiseman, seconded by Councillor Adams:

"THAT the minutes of the January 7, 1986 Regular Session of Council be approved as circulated."  
Motion Carried.

It was moved by Councillor DeRoche, seconded by Councillor Adams:

"THAT the minutes of the January 13, 1986 Public Hearing be approved as circulated."  
Motion Carried.

AGENDA ITEMS

- Councillor Adams - Road Salt vs. Road Sand, District 8
- Councillor P. Baker - Prospect Connector/Nova Scotia Department of Transportation
- Nova Scotia Power Corporation
- Councillor Randall - Sale of Property
- Councillor McInroy - Residential Street Snow Removal
- Rezoning Notification

LETTERS AND CORRESPONDENCE

Department of Lands and Forests

Mr. Kelly read a letter from the Honourable Ken Streach, Minister of the Department of Lands and Forests.

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

"THAT this item of correspondence be received."  
Motion Carried.

Notice of Hearing - Shopping Centre Development Act

Mr. Kelly reviewed the purpose of this notice, and Warden MacKenzie advised that this is for information purposes only.

Miscellaneous

Mr. Kelly outlined two other items of correspondence that were attached to the supplementary agenda. The first, from Beryl V. Biggs, is with regard to transportation needs for the disabled. The second is from the Prospect Peninsula Resident's Association regarding the Lakeside sewage treatment/Halifax take-over.

PLANNING ADVISORY COMMITTEE REPORT

Application No. RA-SA-73-85-20 Amend the Sackville Land Use By-law, Department of Housing, Phase II, Sackville Developments, First Lake Drive

Councillor Mont and Councillor McInroy declared a conflict of interest.

Mr. Kelly identified the application, and advised that it is the recommendation of the Planning Advisory Committee that staff's recommendation for approval of this application be accepted, and that a public hearing be held on March 10, 1986, at 7 p.m.

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

"THAT this application be accepted and a public hearing be held on March 10, 1986 at 7 p.m."  
Motion Carried.

Application No. PA-CH/W-14-85 Amendments to the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-law.

Mr. Kelly identified the application and advised that it is the recommendation of the Planning Advisory Committee that a public hearing be held on March 10, 1986 at 7 p.m.

It was moved by Councillor Mont, seconded by Councillor DeRoche:

"THAT a public hearing be held with regard to this application on March 10, 1986 at 7 p.m."  
Motion Carried.

Amendments to the Sackville Municipal Planning Strategy - Expansion of Existing Businesses

Mr. Kelly advised that this application is for an amendment to the Sackville Planning Strategy - expansion of existing businesses and advised that it is the recommendation of the Planning Advisory Committee that Council proceed with the amendments outlined in the staff report and that a public hearing be held on April 7, 1986 at 7 p.m.

It was moved by Councillor MacKay, seconded by Councillor Lichter:

"THAT the Planning Advisory Committee proceed with the amendments outlined in the staff report and that a public hearing be held on April 7, 1986 at 7 p.m."  
Motion Carried.

APPLICATION, RE MINOR VARIANCE APPEAL

Mr. Kelly advised that this is an application for a minor variance appeal received from Ernest McEwen re Lot 16, Subdivision of lands of Hardwick Property's in Lower Sackville. He also advised that it has been recommended to Council that the appeal of the minor variance be heard at the Council Session on March 4, 1986 at 7:00 p.m.



It was moved by Councillor DeRoche, seconded by Councillor MacDonald:

"THAT the appeal of this minor variance be heard at the Council Session of March 4, 1986 at 7 p.m."  
Motion Carried.

EXECUTIVE COMMITTEE REPORT

Councillor Poirier advised that several handicapped children would be in attendance at 6:30 and asked if the other items from the report be dealt with first and leave the item of transportation needs for the disabled until later.

Lands - East Chezzetcook

Mr. Kelly advised that there are lands of Nathan Smith in East Chezzetcook owned by the County. There is a question of ownership for a small portion of this property between the Municipality and adjoining property owner, Mr. John McLaren. The property boundary in question has been examined by the County surveyor and in his opinion that Mr. McLaren's title should be recognized. It is the recommendation of the Executive Committee that Council issue to Mr. McLaren a Quit Claim Deed for the small portion of property in question.

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

"THAT the Municipality issue a Quit Claim Deed to Mr. McLaren for the portion of the property in question."  
Motion Carried.

1986 Property Tax Exemption

Mr. Kelly advised members of Council that the Executive Committee had received a report respecting 1986 property tax exemptions as provided under Section 136 (A) of the Municipal Act. This section allows a tax exemption to a widow or widower; a person 65 years of age or over; or the head of a single parent family supporting a dependent(s) under the meaning of the Income Tax Act. The Executive Committee recommends to Council for approval that a 1986 property tax exemption be granted to all persons eligible to a maximum of \$250 where the total income of all family members residing in the household does not exceed \$8,000.

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

"THAT a 1986 property tax exemption be granted to persons eligible to a maximum of \$250 where the total annual income of all family members residing in the household does not exceed \$8,000."  
Motion Carried.

Request for District Capital Grant - District 17

Mr. Kelly advised that this is a request for a district capital grant in District 17 in the amount of \$2,896.83 for fencing a ball field adjacent to Caldwell Road School. The Executive Committee has recommended to Council approval of this request.

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

"THAT a District Capital Grant be approved for District 17 in the amount of \$2,896.83 for fencing a ball field adjacent to the Caldwell Road School."

Motion Carried.

Temporary Borrowing Resolution

Mr. Kelly advised that this is a temporary borrowing resolution in the amount of \$1,400,000 for the water system at Windsor Junction. The Executive Committee has recommended to Council the approval of this temporary borrowing resolution.

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

"THAT approval be granted for a temporary borrowing resolution in the amount of \$1,400,000 for the water supply system in Windsor Junction."

Motion Carried.

Councillor MacKay asked how this project is proceeding. He also questioned the estimates in relation to contracts. Mr. Meech advised that this project is believed to be beyond 50 percent complete, and the costs at this point are under the estimate. However, it was incorporated into the estimates that we would be able to cross under the level crossing to the railroad crossings, as it has been done in most cases in the past, but presently, CN is suggesting that this may have to be done by tunnel which would add to the cost considerably. Outside of this setback, the project is well within the estimate and is a bit over 50 percent complete.

Temporary Borrowing Resolution

Mr. Kelly advised that this temporary borrowing resolution is for the Halifax County Industrial Commission - Aerotech Park Infrastructure in the amount of \$6,000,000.

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

"THAT approval be granted for a temporary borrowing resolution in the amount of \$6,000,000 for the Halifax County Industrial Park - Aerotech Park Infrastructure"

Motion Carried.

Municipal Lands - Uplands Park

Councillor Mont and Councillor McInroy declared a conflict of interest.

Warden MacKenzie advised that Mr. Ron Pugsley was in attendance to address Council on this item. Council members were desirous of having Mr. Pugsley address them.

Mr. Pugsley advised that he was in attendance on behalf of Jean Pender, whose husband was the former owner of an area of approximately 2.6 acres which is the site of the so-called school site. He informed that Charles Reardon, the County Planning Engineer in 1961, had made a recommendation to Mr. Curn, the Chairman of the Board of School Commissioners, that the property for the school site be located on the Pender lands. Mr. Reardon spoke to Mr. Pender and said that the County wished to have this property conveyed to them for the purposes of a school site. There were actually three lots that the County purchased, and these lots were approximately 19,000 square feet. They were serviced at that time, and they were purchased by the County for \$6,000. The balance of the property, 94,000 square feet, was gifted by the Penders to the County. It was gifted because of a representation made to the Penders that the land would be used for a school site. The land has never been used as a school site, and Mr. Pugsley stated that it is their understanding that there are plans to sell the site to the Nova Scotia Department of Housing for the erection of a 15 unit senior citizen's residence. It is our contention that Mr. Pender was prepared to give this land to the County in 1961 because it would be in his interest to have a school site. It would help in developing Uplands Park. Since the school is not located on this property, and since the County does not have any present intention to locate a school on the property, it is our contention that the County should deed the property back to Mrs. Pender. The understanding was, and Mr. Reardon has confirmed this understanding, that the property would be used as a school site. The various minutes of the Boards, School Commission, and Council refer to the use of this property as a school site. Now that it is not going to be used as a school site, Mrs. Pender feels that this property should be returned to her for her own uses. Mr. Pugsley stated that legally, there is no basis to complain about the use of the land because there is no condition in the deed, but he felt there is a strong moral right to get this land back. Therefore, members of Council were asked to honour this moral commitment on behalf of the County to use this site for a particular purpose.

Mr. Kelly then read the report from the Executive Committee explaining that it is their recommendation that the Municipality enter into an option agreement with the Nova Scotia Department of Housing for the acquisition by the Department for a parcel of land in Hammonds Plains containing approximately 2.6 acres subject to Council rezoning the lands to R-4 zone and the obtaining of fair market value for the property.

Councillor P. Baker asked what price was on this property at the time it was sold to the County. Mr. Pugsley advised that there were three lots which were sold to the County for \$6,000, and the 2.6 acres was a gift to the County that is not being used for the intended purpose.



It was moved by Councillor Walker, seconded by Deputy Warden Wiseman:

"THAT the Municipality enter into an option agreement with the Nova Scotia Department of Housing for the acquisition by the Department for a parcel of land in Hammonds Plains containing approximately 2.6 acres subject to Council rezoning the lands to R-4 zone and the obtaining of fair market value for the property."  
Motion Carried.

Councillor P. Baker stated that he felt the County has a moral right to return this property back to Mrs. Pugsley if it is not going to be used for the intended purpose. Councillor Snow agreed with Councillor P. Baker advising that if this land was given to the Municipality for a specific reason we either have to keep the land for a future school site or we give it back to its original owner.

Councillor Eisenhauer advised that this property is in his district, and the history that Mr. Pugsley has outlined is correct. Currently this site is not large enough to build a school on. The people in the area of Uplands Park had purchased their homes based on a plan that had indicated that this is a school site. However, there is no indication in the deeds that there are any restrictions. Councillor Eisenhauer felt that simply turning this property back to Mrs. Pender would cause concern from the residents because they have grown up with this so-called parkland that is owned by the Municipality. We did not enforce the 5 percent parkland requirement until 1977; this was done on a volunteer basis. However, there is a need at this point in time for a senior citizen's building. The Department of Housing have looked at three different sites, and the Department of Health felt that these other sites were not suitable. Therefore, the Department of Housing has come back and is now looking at this particular site. The transfer of this is a change from one level of government to another in order to build a facility that is going to assist the whole community. Councillor Eisenhauer felt it unfortunate that the Department of Housing cannot construct the senior citizen's complex on the land as long as it is in the name of the Municipality. The dollars that have been discussed are 1961 dollars and the value of this land has increased remarkably since that time. Councillor Eisenhauer continued to say that Mr. E.A. Brine, Property Manager, had received a letter from the School Board saying that this land is too small to be used for a school by today's standards. Councillor Eisenhauer also informed that he has a full document that has been sent to Mrs. Pender dated November 7, 1965 in which what has been discussed is outlined. There had been a lot of debate in the minutes of September 5, 1961, September 11, 1961, and in October, 1961.

Councillor Reid stated that at the Executive Committee meeting he was of the understanding that this was all deeded as one parcel of land. He asked if this is the situation or if there are three separate lots and then the remaining 2.6 acres. Mr. Meech advised that he was not certain if it was conveyed as one parcel or in four separate deeds, but he was sure that the reason for the payment of the \$6,000 in 1961 was the three approved lots. The balance of the land was agreed by the developer of the day that they would donate that particular portion of land.

Councillor Lichter expressed opposition to Mr. Pugsley's comments. He stated that this land is finally going to be used for something useful and somebody will gain money from it. If anybody is going to gain money from this land, it ought to be the Municipality in view of the fact that for 24 years no taxes have been collected from this piece of land. Once this piece of land becomes useful for a good purpose, it appears that we start getting request for the land. These requests could continue to come, if we do not pass the motion.

Councillor P. Baker stated that he feels the Municipality does have an obligation. He stated that it was an honourable gesture on the part of Mr. Pender to donate this parcel of land, and since it is not going to be used for a school it should be returned to the Pender Estate. Perhaps negotiations could take place for taxes not paid during the past 24 years, but the land should be conveyed back to the Pender Estate.

Deputy Warden Wiseman stated that she understood at the Executive Committee meeting that three parcels of land were sold to the County for \$6,000 - a fairly substantial cost at that time. The only interest that has been shown in getting the property back has been since the Department of Housing has shown an interest on purchasing that property from the County. Therefore, it would be our duty as Municipal Council to support the recommendation and see some return for the County's original investment of \$6,000.

#### Transportation Needs for the Disabled

Mr. Kelly outlined the report and the recommendation from the Executive Committee.

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

"THAT Council approve the provision of a \$12,500 interest-free loan to Mr. Jonah subject to the terms and conditions outlined in the report."

Motion Carried.

Councillor Poirier introduced a number of people in the gallery who use the transportation provided by Mr. Jonah often. She explained that these children rely very much on this form of transportation because it is reasonably priced, it provides good wheelchair ramps, and it has the proper tie-downs for the chairs. This particular form of transportation is available throughout the whole County, where the Access-A-Bus is certainly not available. Councillor Poirier stated that she is not in favour of this proposal for the benefit of Mr. Jonah because she has never met him before. Mr. Jonah can make a substantial living in other ways when he is not on the school bus run, but it is not everybody that will offer themselves at a reduced form of a livelihood to provide for the disabled. The service the Access-A-Bus provides to people is limited to adults because they have an age limit of 16 years. It may be down to 12 now, but generally children cannot go on that bus. Therefore, in areas that Access-A-Bus is provided, it is of absolutely



no use to handicapped children. The Access-A-Bus and ambulance service is subsidized by the province; therefore, Mr. Jonah's operation should also be subsidized by the province because he runs it at a reduced cost of the Access-A-Bus. Councillor Poirier asked for the support of other Council members so that these handicapped people can enjoy a form of life outside of their homes and schools.

Councillor Merrigan explained that he did not realize how much assistance disabled people in Nova Scotia need. We do not want to set any precedents by giving somebody an interest-free loan, but something has to be done to help these people. It is the recommendation that we bring this to the attention of the province; therefore, we have to show our own support. This is only an interim measure towards this problem, but we have to start somewhere.

Councillor P. Baker expressed his support for the motion, and stated that we should make representation to the Minister of Social Services. He would be pleased to know that we have demonstrated our efforts on behalf of these people who need help.

Councillor McInroy corrected an error that appeared in the newspaper. The error suggested that he voted against this proposal at the Executive Committee. Councillor McInroy stated that this is not true. He did question the terms and arrangements for the loan repayment. Councillor McInroy said that he has no difficulty with forgiving a portion or all of the loan if the circumstances are warranted.

Councillor DeRoche expressed his support for the intent of the presentation, and agreed that this is a problem that needs a long-term solution. However, he did not feel that the motion on the floor will provide a long-term solution. Councillor DeRoche stated that he would fully support a solid approach through the matter for financial undertaking of a service of this nature on a long-term basis. However, the solution being discussed does not provide a long-term solution. Therefore, Councillor DeRoche informed that he would be voting against the motion.

Councillor MacKay advised that there is a risk factor involved with this solution because we do not know if Mr. Jonah will be in business or out of business in the future. However, Councillor MacKay expressed his support for this motion because Mr. Jonah has demonstrated that he is not making any financial remuneration from this service. Most of the urbanized areas are very fortunate to have the Access-A-Bus to provide transportation for the disabled. However, this service is not available in all areas of the County. Therefore, we should approach the province and provide some type of long-term solution. It would be a good idea if we could subsidize the patient by reimbursing him. However, it seems that this will not work. After a lot of deliberation at the Executive Committee level it seems that there is no alternative but to support the resolution as it is put forth. We must approach the province, and perhaps in conjunction with the Municipality and other Municipalities we may be able to provide a better solution. Councillor MacKay expressed his support for the motion as it has been put forth, but with reservations. However, there are no alternatives available.



Councillor Lichter explained that this is a complex issue. If we are serious about having some obligation in providing this type of transportation, then we should do something about it. We should not, however, confuse it with the financial statement of a particular business. Councillor Lichter stated that he feels he cannot ask questions he should about somebody's financial statement because it is personal. However, he is being asked to vote on a motion where this information should be known first. When the details of the business cannot be fully discussed, Councillor Lichter explained that it would not be responsible of him to vote for a motion that involved the repayment of a loan to the Municipality.

Councillor Reid agreed that there is a major problem with respect to this matter. However, we are looking at one individual and one business, and across the County we probably have a number of people providing this service in various means and ways. We have to look at the total problem and the precedence that we would be setting by providing an individual with \$12,500 to provide transportation for a small minority of the disabled people within our total Municipality. For this reason, Councillor Reid stated that he cannot support the motion.

Councillor P. Baker stated that we have to start somewhere. There are people crying for this help everywhere. If we do support this motion and demonstrate our interest in these people, we will get results from the province.

Councillor Merrigan stated that he does have a letter of authority to divulge financial information if it is requested. Councillor Merrigan expressed need for some type of loan agreement in which defaults, provisions that the County would be provided with financial statements on a regular basis, etc., would be detailed. Therefore, Councillor Merrigan suggested that we add to the motion that we support any interest-free loan with the loan agreement that would incorporate some of these concerns. This loan agreement would be prepared by the County solicitor.

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

"THAT Council request the Province of Nova Scotia to take a close look at the special needs for the disabled, including transportation needs."  
Motion Carried.

Councillor Lichter asked members of council if we are trying to help all handicapped people or only those who can afford that kind of help. There are people out there that cannot afford the minimum \$5 fee for only 3 kms.; therefore, for these people we are doing nothing. It will not matter what subsidy is given, this service will not be available to them. Councillor Merrigan agreed, but informed that this gentlemen is providing a service that is cheaper than taking a taxi and also this bus service is specially designed for handicapped people in wheelchairs. Councillor Lichter then asked if a taxi company has ever asked the County to bail them out. Councillor Merrigan informed that the company

in question has not come to Council to ask us to continue to provide this service. After this matter was studied, there proved to be a substantial need to assist the disabled people and it was recommended to the Executive Committee that we ask the province to look at this problem throughout the whole province. In the interim period, because it will take the province awhile to do this, we should provide assistance by means of an interest-free loan to this gentleman. He will then be able to keep this service going until he has to make other capital expenditures, at which time the province will hopefully have a subsidy program so Mr. Jonah could repay this loan to the County. If we do not support Mr. Jonah here tonight, he will have no alternative but to shut down his operation.

Councillor Lichter suggested that we issue a \$10 voucher to be used with any company transporting handicapped people - a certain number per year to each handicapped person. This would be an acceptable form of assistance to these people from this Council and from the taxpayers of this Municipality. However, Councillor Lichter advised that he cannot support a company with a financial statement that indicates that the company cannot afford to operate - especially if the company cannot afford to operate for everybody, but only those who can pay. This service should be for ALL handicapped people. Also, the County has been given false financial information previously. There must be more details about the loans outlined on the financial statement provided.

Councillor McInroy agreed with Councillor Merrigan in that he could support the motion on the basis of a loan agreement. If we cannot help everybody, we should not refrain from helping anyone. If we have an opportunity to help a lot of the residents of Halifax County, which we do now, we should, and at the same time we could bring to the attention to the appropriate provincial departments the kinds of things that we think could be implemented throughout the province. We should help where we can, and at the same time, work towards a long-term arrangement that will have more of an impact. We should not lose this opportunity to at least continue this operation for at least 12 months.

Councillor Poirier stated that \$12,500 out of a \$50 million budget really is not much to try and help a group of disabled people. Perhaps if we take this stand, we may get the attention of Social Services and receive their assistance. In Colchester County, there is a service similar to the one in question, and they get \$15,000 annually from the Federal Government, \$12,500 from the Provincial Government, and Colchester County contributes \$6,000 themselves. This information is there, although it cannot be verified. With this information, we may have something to work with and present to Social Services.

Councillor MacDonald added that the gentleman supplying the service is not making any money; the loans that he has appear to be made only to the transportation of these disabled people. If we ask the province to get involved, it will take years. In the meantime, we have to help this gentleman by giving him a loan. Otherwise, his operation will fold, and these young people will be munrooned. If we give this man an interest-free loan, we will eventually get the service that the people need out of this money. We recently gave \$10,000 for garbage collection; we gave \$12,000 to start the Beaverbank Service. What is the big concern with this matter. We should go with this for a year, see how it works, and it may develop into something that may expand and our \$12,000 may be the start for something much more.



GIRL GUIDES AND BOY SCOUTS

Warden MacKenzie welcomed the First East St. Margaret's Cubs and Guides. Councillor Fralick addressed these groups saying that they are the men, women, and leaders of tomorrow. He then presented each member with a County pin.

Warden MacKenzie next welcomed the First and Second Cole Harbour Girl Guides to the Council Chamber. Councillor Mont addressed the group from his district and Councillor McInroy then addressed those representing his district. They then presented County pins to each member of these two groups.

APPEALS, RE MINOR VARIANCESMV-27-17-85 - 284 Astral Drive, Cole Harbour

Mr. Gough briefed the report and presented a sketch of the property in question. He advised that the only correspondence received on this matter was from a gentlemen who lives on the adjacent property. He has no objection to this, provided that the shed will not infringe upon his proposal to develop. The applicant has been made aware of this.

SPEAKERS IN FAVOUR OF THIS APPLICATION

Michael Cleary, 284 Astral Drive, Cole Harbour, advised that the property in question is his. He stated that he fails to see the importance of the shed being 6.5 feet from the existing building as opposed to 8 feet. Under the laws, he can build a garage 4 feet away, yet a shed must be 8 feet.

QUESTIONS FROM COUNCIL

Councillor Eisenhauer clarified that a permit cannot be issued less than eight feet in the event that the building was not started prior to a building permit being issued. He then asked Mr. Cleary if he had the building permit before he started construction. Mr. Cleary advised that no he did not. Therefore, Councillor Eisenhauer asked if the issue at hand is because Mr. Cleary began building without a permit. Mr. Cleary advise that yes, this is the reason we are here, but the eight foot issue is ludicrous. He did start the garage with a building permit. He was told he had to reduce the sides because the laws required a smaller building. After doing that, he decided to build the shed as well. As a spontaneous decision, he did not even think that he had to get a building permit. The buiding inspector then advised him that he should not be building this without a permit, and it came to a minor variance which could not be granted because the construction had started without a building permit.



SPEAKERS IN OPPOSITION TO THIS APPLICATION

None.

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

"THAT a Minor Variance Application No. MV-27-17-85, 284 Astral Drive, Cole Harbour, be approved."  
Motion Carried.

Councillor McInroy agreed with Mr. Cleary that the public would expect a side yard clearance for a shed to be the same as that for a garage. He also commented on the wording of Section 79.3 (c) of the Planning Act as it refers to the intention disregard for the requirements of the Land-Use By-law. The general public is not generally aware of the Land-Use By-law; therefore they would not be intentionally disregarding it. Councillor McInroy stated that he would like to make motion with regard to this after this appeal is over.

MV-28-21-85, 67 Agincourt Crescent, Cole Harbour

Mr. Gough briefed the report, advising that this particular structure was built in approximately 1976 at which time an attached garage could have been located four feet from the property line. The Cole Harbour/Westphal Zoning By-law now requires a side yard of eight feet. The variance request is approximately 2.5 feet and there is a Nova Scotia Power Corporation easement which runs between the two lots. The Nova Scotia Power Corporation had granted permission for the encroachment being the garage and the sundeck. After the applicant made the addition, he had a pending sale for the house, but the buyer refused to buy it due to the fact that it did not meet the side yard requirements.

QUESTIONS FROM COUNCIL

Councillor MacKay asked Mr. Gough if a letter to the owner stating that this is a legal non-conforming use would resolve this problem. Mr. Gough advised that he would not like to issue a letter saying that it was a legal non-conforming use because there is no record that the permit was applied for when the garage was constructed. It may have been constructed illegally.

SPEAKERS IN FAVOUR OF THIS APPLICATION

George Croucher, 67 Agincourt Crescent, Cole Harbour advised that he made the addition to this property. At the time of sale of this property, the buyer refused to finalize the sale because of the side yard variance.

QUESTIONS FROM COUNCIL

Councillor DeRoche asked Mr. Croucher if the sundeck were built in 1976 and if he had the appropriate permit at that time. Mr. Croucher advised that yes, he did construct the sundeck and garage at that time, but without the appropriate permits. He advised that he did have the intention to get the necessary permit, but after construction started, it was forgotten.

Councillor Mont asked Mr. Croucher if he has ever had any complaints from his neighbours about the location of the structures. Mr. Croucher advised that he has never had any complaints with regard to this.

#### SPEAKERS IN OPPOSITION TO THIS APPLICATION

None.

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

"THAT Minor Variance Application No. MV-28-21-85, 67 Agincourt Crescent, Cole Harbour be approved."  
Motion Carried.

#### MV-01-20-86 - Lot 217, First Lake Drive, Lower Sackville

Mr. Gough advised that an application for a building permit had been made for this particular lot, and the preliminary certificate had been granted in December, 1984. At the time, the footings for this building had commenced, and in 1985, more work resumed on the property. At the present time, there is a foundation on the lot and the building is roof-tight. This application is for a reduced side yard of 7.8 feet instead of the required 8 feet for the construction of a single unit development. There has been no correspondence either in favour of or in opposition to this application.

#### QUESTIONS FROM COUNCIL

Councillor DeRoche asked Mr. Gough if a Municipal Development Permit was issued in December, 1984. Mr. Gough advised that yes, it had been. Councillor DeRoche then asked Mr. Gough how he can interpret that the difficult is the result of the intentional disregard. Mr. Gough advised that the permit was issued for eight feet, and there is no provision, once the permit has been issued, for the Development Officer to alter his decision. The minor variance automatically cannot be granted, and it is a decision that the applicant must appeal to Council. Councillor DeRoche advised that he does not see this as an intentional disregard by looking at the other dimensions on the property. The builder obviously abided by all the other requirements. It appears that this was an error in the pouring of the forms, which does not constitute intentional disregard. Mr. Gough advised that he has been advised by Mr. Cragg, Municipal Solicitor, and the Department of Municipal Affairs on this matter, and they interpreted it in this manner. Councillor DeRoche mentioned that this is probably why we experience the number of problems that we do, because of interpretations.

Councillor MacKay clarified that builders first get a preliminary certificate to locate the footings. They then bring in a surveyor's certificate to show the location of these footings, and if the footings meet all yard clearances, a final building permit is issued. In this case, the final building permit was issued. Councillor MacKay then asked Mr. Gough when it was discovered that the foundation was within



eight feet of the property line. Mr. Gough advised that he was first made aware of the situation approximately one year later, but that was due to the fact that no construction had been taking place on that lot other than the installation of the footings. Councillor MacKay expressed difficulty with interpreting four inches as being intentional. He asked Mr. Cragg for his opinion as to whether or not he considers this to be an intentional disregard of the Planning Act. Mr. Cragg advised that he can only interpret the Planning Act, and he stated that it was Mr. Gough's decision and he would not question the final decision in this case, particularly where the permit was applied for. It is a discretionary matter in Mr. Gough's power, and if he determined it to be not minor, it should not be questioned.

Upon Councillor MacKay's request, Mr. Gough informed that the foundation of the house is only 2.4 inches from the required setback. The foundation is 7.8 feet away from the required setback.

#### SPEAKERS IN FAVOUR OF THIS APPLICATION

Bernie Key, Oakdene Estates, spoke on behalf of Art Gillespie. He explained that the footings for this house were located in December, 1984, and did not continue work on the house until just a month ago. At that time, the foundation was poured, and a house package was bought in to get the house up quickly and roof-tight before the winter really set in too badly. It was upon making application for a mortgage that it was noticed a building permit had never been issued. Application for the final building permit was then made. There was a surveyor's certificate, but it hadn't been noted that the foundation was within the sideyard clearance a little bit. Mr. Key stated that this works out to 2.4 inches that the foundation wall is off, and it was definitely not intentional.

#### QUESTIONS FROM COUNCIL

None.

#### SPEAKERS IN OPPOSITION TO THIS APPLICATION

Paul Cormier, 351 First Lake Drive, stated that he lives on lot 218 which is immediately adjacent to the lot in question. Mr. Cormier stated that the footings were located around December of last year and construction of the house commenced around September and was roof-tight in November. Being such a small house, Mr. Cormier wondered why this house is so close to the lot line with over 16 feet left from the opposite sideyard. As well, adding a deck to the house on the short side of the lot, immediately adjacent to his lot, would eliminate any privacy that he would like to maintain in his house. Mr. Cormier also questioned why construction continue on the house while the minor variance application was being processed in apparent defiance of the 8 foot sideyard clearance.

Mr. Cormier passed some pictures of the two lots around to Council members for their information.



QUESTIONS FROM COUNCIL

None.

It was moved by Councillor DeRoche, seconded by Councillor Walker:

"THAT Minor Variance Application No. MV-01-20-86, Lot 217, First Lake Drive, Lower Sackville be approved."  
Motion Carried.

Deputy Warden Wiseman pointed out that the matter at hand is the 7.8 foot variance. If Councillor McInroy later brings forward some procedure in which we can deal with a minor variance without having to go through a public hearing, it would certainly be supported because when it gets to be a little over two inches in variance, it seems that the Development Officer has no discretion to make a decision, and he should.

Councillor DeRoche explained that he posed the motion because the Planning Act provides no discretion to the Development Officer with respect to a minor variance after construction has commenced. However, when you are constructing a building, you usually call in a subcontractor and you rely on their expertise to place the foundation according to the dimensions indicated. If there is any difficulty with plumping the forms, there is going to be a variance. The problem is when the variance is not recognized until after the foundation is poured. You cannot, with ease, move a foundation; therefore, the only alternative available is either the granting of the variance or destruction of the foundation. Councillor DeRoche informed members of Council that the problem is with the interpreting Section 79.3 (c) of the Planning Act. An amendment to this section is far overdue to provide some form of discretion to the Development Officer so Council does not end up with this situation over and over again on the basis of intentional disregard.

PUBLIC HEARING, RE UNDERSIZED LOT LEGISLATION

Mr. Gough read the report advising that an application was made for a proposed re-subdivision of lands of East Chezzetcook Co-operative Housing Ltd. and Malcolm and Sandra Horlick in Upper Lawrencetown. It is the recommendation of the Development Division that final approval be granted for this subdivision. He further advised that Lot A-14-A contains 17,795 square feet with approximately 190 feet of road frontage on Parkcrest Drive. Lot A-15-B contains 13,224 square feet with approximately 156 feet of road frontage on Parkcrest Drive. The house on Lot A-14-A was completed in 1972. When the garage was built on the property, there was a misunderstanding as to the location of the property line which resulted in the encroachment on the adjacent lot. The encroachment was not noticed until the recent sale of Lot A-14. The Department of Health and the Department of Transportation have replied favourably with regard to this application. Mr. Cragg, the Municipal Solicitor, has also stated that he feels this type of situation meets the intent of the Undersized Lot Legislation.

SPEAKERS IN FAVOUR OF THIS APPLICATION

Mr. Douglas Baker, former resident of Lot A-14, 68 Parkcrest Drive, advised that both his neighbour and he made a mistake, using the wrong pin as the boundary line when the garage was built. This mistake was not realized until after the house was sold and another survey was done.

QUESTIONS FROM COUNCIL- None.

SPEAKERS IN OPPOSITION TO THIS APPLICATION - None.

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

"THAT Lots A-14-A and A-15-B on Parkcrest Drive in Upper Lawrencetown be given final approval under the Undersized Lot Legislation."  
Motion Carried.

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

"THAT Council request the Planning Advisory Committee to investigate the possibility of amending all applicable by-laws such that setbacks for accessory buildings can be reduced where appropriate and where practical to a uniform standard."  
Motion Carried.

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

"THAT the Planning Advisory Committee investigate the matter of minor variances as they relate to Section 79.3 (c) of the Planning Act, with a view to alleviate both staff and Council of the kinds of technical difficulties being experienced by granting the Development Officer more discretionary powers."  
Motion Carried.

URBAN SERVICES COMMITTEE REPORT

Mr. Meech advised that there is a recommendation from the Urban Services Committee to formalize the establishment of a staff committee to follow-up with the implementation of the Storm Drainage Report and Policies. The recommendation is that Council approve the formation of a staff committee consisting of the Storm Drainage Engineer and two planners; one from the Development Division and one from the Policy Division to investigate the requirements for implementing the recommended policies. This is a follow-up to the staff report which was tabled earlier with Council. At that time, it was referred to the Urban Services Committee for their review and recommendation.

It was moved by Councillor DeRoche, seconded by Councillor Walker:

"THAT Council approve the formation of a staff committee, consisting of the Storm Drainage Engineer, and two planners; one from the Policy Division and one from the Development Division, to investigate the requirements for implementing the recommended policies."  
Motion Carried.

Councillor Mont inquired as to the length of time it will take this committee to do their review and come back with a report. He informed that this matter has been dragging on for years. Mr. Meech advised that the original report identified the areas where there was a need for follow-up, but in many instances the difficulty is not only identifying what is required but identifying specifically what implications it has to particular by-laws, etc., The intent is not to go back and study it, but to get on with implementing some of these where practicable and feasible. Councillor Mont informed that Council agreed in principle some years ago that there was going to be an adoption of the recommendations of the report. There should be some indication of when the items that have not been implemented, when they will be. There should be a set date to have a report back to Council. Mr. Meech advised that the report dealt with specific areas that need follow-up. We should not leave the impression that there has not been any implementation of the Storm Drainage Policy; there has been over the last number of years implementation of parts of that report. Part of the reason why it has not been fully implemented is because it requires additional staff resources which means additional financial resources. In some other areas it is a matter of trying to identify specifically what the most practicable way of bringing about the necessary regulatory control is.

Councillor DeRoche advised that he chaired the Urban Services Committee meeting at which this topic was discussed. He stated that the choice of the word investigate was a poor one because it is somewhat restrictive. This committee should be a working committee to look at the storm water drainage policy, implement as possible within the administrative control of the County, develop the necessary legislation that might be required for implementation, and to provide a constant update and report through the Urban Services Committee to Council. This would entail the financial aspects that would evolve from the implementation aspect.

Mr. Ted Tam, Assistant Director of Engineering, advised that Councillor DeRoche outlined the intent of the committee, emphasizing the fact that there is a list of those which need further legislation and by-laws and probably additional staff to carry it out. With this committee we hope to come back with a list of requirements, within a certain time frame, to come out with a working schedule.

#### RESOLUTION, RE HALIFAX CITY COUNCIL

Mr. Kelly advised that we have received a resolution from City Council dated January 23, 1986, regarding the Sanitary Sewer - Industrial Park. The motion requested permission from Halifax County Council to connect to the Lakeside/Timberlea sewer system and treatment plant and that staff negotiate a joint servicing agreement at the earliest possible date.



Councillor Poirier advised that the community which she represents has shown great opposition to this proposal. The whole community is very much opposed to this because of the ramifications that may be felt later. Several districts in the western part of Halifax County are also showing great concern.

It was moved by Councillor Poirier, seconded by Councillor P. Baker:

"THAT the request from the City of Halifax be denied."

Councillor P. Baker advised that several months ago Council refused such a request, and district 4 is the recipient of the affluent and raw sewage. It eventually has to find its way to the salt water and it will find its way to Shad Bay and surrounding areas. Councillor P. Baker advised that people are very much aware of what happened in Herring Cove during annexation. The residents of districts 2 and 4 want to know what is going to happen to the raw sewage from the industrial plants. Raw sewage is presently being dumped into the Halifax Harbour. Therefore, we should turn this raw sewage around and dump it into the Halifax Harbour or the Northwest Arm. Councillor P. Baker also questioned the meaning of the word temporary. He felt this arrangement will not be on a short-term basis, and Timberlea/Lakeside are going to need this system on a larger scale within the next few years as they develop. He pointed out that the decision made by Council several months ago should be reaffirmed.

Warden MacKenzie advised that Council was not supportive earlier because there was no official request from the City. We do have an official request now.

Councillor McInroy advised that we have sanitary sewer agreements with the Town of Bedford and the City of Dartmouth, and under these agreements, we are ensured the affluent is adequately dealt with by the system. He wondered why we cannot negotiate with the City of Halifax. There is a capacity here that is not being used by the County and will not be for several years. There is also revenue that could benefit the taxpayers of Halifax County. Perhaps the province will even agree to being a third party to an agreement which will provide more support later when we may have to implement provisions of the agreement. Councillor McInroy advised that we must see how we are jeopardizing ourselves by entering into an agreement before we dismiss the matter.

Councillor DeRoche agreed that the Municipality is in need of ways and means to increase revenue. The previous decision made by Council was based on data and information that has since been updated, and perhaps there is now a need for a new discussion on the entire matter.

Councillor Bayers agreed with Councillor McInroy. There are too many unanswered questions to fully support the motion. Councillor Bayers asked if servicing was used as a bargaining point at the time that the PUB was presented with annexation of County lands by the City. It is the taxpayers money and if we do honour the City's request, there could be some revenue to be had by the Municipality. If it means that we

could be fully utilizing the treatment plant, and if the Department of Environment study shows that dollars can be increased for the County, and if we have a proper agreement to monitor what is going into the treatment plant, the deal could be beneficial.

Mr. Meech advised that at the time of the PUB hearings, the City leaned toward the option of having the sewer fed through Spryfield into Herring Cove. Subsequent to the PUB hearings, the City changed its position as to how it would propose to service its lands. The original intent created problems as to how the proposed parks would be serviced.

Councillor Bayers stated that if this was used as a bargaining point at the PUB hearings, we should have our lands returned. We can then service it ourselves and use our own treatment plant. Councillor Bayers asked Mr. Cragg if we do have any legal recourse should this be the case. Mr. Cragg advised that no, we do not have any legal recourse. The time for reviews and appeals have long lapsed. We could probably initiate a similar action on our own and use Councillor Bayers proposal as criteria, but we cannot launch any appeals.

Warden MacKenzie pointed out that the Minister of Environment wrote in his letter that 80 percent of the cost of the Lakeside/Timberlea sewer system came from the provincial government. He advised that this is an error. The total contribution by the provincial government covered about 60 percent - not 80 percent as noted in the Minister's letter.

Councillor Merrigan stated that he cannot support the motion. He said he finds it difficult to support polluting the basin any further. If we do not support the City in hooking up, they turn around and put pollution into the basin, which will eventually affect all of us. There are too many unanswered questions. We should be sitting down with the province and the City to determine exactly how long they want to hook into the system, and what kind of measure of comfort we could get if they would hook into it, and to see how long they would financially support the system.

Councillor MacKay stated that we are being the bad actor in this game because we are not cooperating with the City of Halifax. However the City of Halifax has not always cooperated with us, and we have used much of our taxpayers dollars to treat sewage while the City of Halifax and the City of Dartmouth just pumped it into the harbour. In dealing with the two cities about the creation of the new industrial park, Councillor MacKay advised that the Industrial Commission found a good spirit of cooperation with the City of Dartmouth, but there was no spirit of cooperation with the City of Halifax. The City of Halifax went forth with annexation and the sewage was supposed to go someplace else, but as soon as they found the development costs were more than originally anticipated, they want to pump it into our system. This sewage treatment plant was designed for a community that was stagment for many years, but this area is going to flourish in the next few years. If we cut off the ability to develop because we have given a certain capacity to the City of Halifax, we will further stifle development in this area. Environment and pollution are also factors. Industrial waste pumped down the Nine Mile River will create an



industrial/environmental problem. Councillor MacKay stated that he cannot support the City of Halifax. He also added that the province did not support the cost of the Timberlea/Lakeside sewer system by even 60 percent because the bulk of the funding came from the federal government through OFSA grants.

Councillor P. Baker stated that he does not trust any agreement with the City of Halifax. They will demonstrate no good will toward Halifax County as a neighbouring municipality. The Nine Mile River is shallow enough to walk across in the summer; the affluent will not go down there very well!

Councillor Deveaux spoke in favour of the motion. He advised that a public meeting was held in Timberlea and we have received a letter from the Prospect Peninsula Residents' Association who are placing a lot of faith in Council to uphold their previous decision. Councillor Deveaux felt that Council cannot change its mind now. The treatment plant now is in an area where the affluent is running over approximately 12 miles going into Shad Bay. This could eventually effect fishermen in the area. The City wants to hook in for what they say is a three year period, but there is no guarantee that the affluent will be cut off after that time. Once the industrial and commercial outlets are established, we will not know what type of affluent will be going into the system. We have an opportunity to help defer pollution. If we allowed the City's industrial park to hook up to this treatment plant, we would be contributing to the pollution of the Nine Mile River. Financially, we do need our environmental rate cut, but the money that we would receive from allowing the City to hook into this plant would only cut that rate down by one percent. This does not make it worthwhile to allow the City of Halifax to hook into our plant.

Councillor Lichter pointed out that this Municipality owes no favours to the City of Halifax. He felt that the letter from the Mayor of the City, tabled on January 21, 1986, was distasteful. It pointed a finger at the Municipality, yet he never did reply to the letter in which we asked for a joint moritorium for some kind of cooperation. Councillor Lichter advised that he would appreciate a meeting between Council, the Minister of Municipal Affairs, and the Minister of the Environment to discuss what took place at the closed door meeting. These ministers should have the opportunity to discuss the issue at an open public meeting. If they have something to say, all Councillors should be aware of it. We cannot make an intelligent decision now because we only have second hand information. The letter states that they are willing to meet with us, and we should take advantage of that. However, it must be made clear that it is not to discuss our counter proposal but to discuss what they have to say.

Councillor Poirier informed members of Council that her area has been waiting for 20 years for the services that they are now fighting for. Meanwhile, all these years they have been contributing to the growth of other districts. A community cannot exist without growth. It is time for this community to stand on their own and keep this system for their own development and growth. She expressed a need to remain with the original decision made by Council a few months ago.