

She said staff tries to deal with the first suggestion under the existing policy. She in terms of the requirement to review development agreements, that would be a major amendment in the sense that the county would have to adopt some new requirement of the development agreements which the county does not currently do. She said that would be a change to the way development agreements are done and that would definitely be a major amendment.

Bob Buchanan addressed council. He said he would like to know if the 100,000 square feet for horses includes land such as pasture for that horse or does it include horses and house. He said some houses are quite large and can take up quite a large portion of the 100,000 square feet. He asked what provision there was to provide for regulation of marinas. He said he would also like to know how this was going to be controlled to ensure that it does not foul of the water.

Ms. Corser said the 100,000 square feet would apply for instance if a person wanted to come in and rezone his property to the new zone to keep a horse you would have to have a minimum lot size of 100,000 square feet which would include the house and the horse. She said in most cases it would be applied in a situation where someone had a house and put up a small building to keep a horse on that same property.

Ms. Corser said in terms of regulating marinas there is a development agreement provision in effect at the present time which requires council to look at a number of very specific criteria one of which is environmental matters. She said what happens is that the provincial agencies which regulate such things as fuel storage or pumping facilities are contacted for direction in terms of how to handle those things and then that is built into the agreement. She said there are approximately seven or eight agencies involved in getting approval for a marina or wharf facility. She said it is built into the agreement that these regulations must be complied with and if not a land owner could contact the municipality.

Mr. Buchanan said that he does not see any provision for supervision or insurance that the regulations are being followed.

Councillor Merrigan said one of the statements made was with regards to a 100 foot setback from wells except wells on your own property. He said he is concerned with that statement. He said it leads people to believe that they can have these within 100 feet of their own wells when the Department of Health does not allow that.

Mr. Crooks said he would have to review that with planning staff. He said the county would not want to have a statement of policy which implied or authorized the placement of a facility closer to

a well than has been authorized by Health regulations. He said he would have this reviewed.

Mr. Barry Zwicker addressed council. He said he was representing ASC Residential Properties which is Atlantic Shopping Centres who are the developers of the Westwood Hills Subdivision in Tantalton located at the intersection of Highway 103 and the Hammonds Plains Road. He said they have some serious concerns with respect to three of the policies proposed in the plan amendment, namely RE-1, 3 and 5. He said also with the zone that is being proposed MR-2. He said those policies set up a resource designation and then set up the ability to create a zone which will have a large lot size and a larger lot frontage than has been placed on that land in the past. He said the MR-2 zone requires 100,000 square foot lot and 150 feet of street frontage on a public street in order to develop in an as of right scenario. He said it is their understanding that the basis for this proposal is related to preservation of the area, concern with respect to ground water and the potential for the requirements for a municipal water system some time in the future.

He said the site they are talking about is approximately 1800 acres located on the Hammonds Plains Road side of the Whites Lake watershed. The area, as they understand it, was considered some time ago for a potential watershed is the Sandy Lake watershed. He said the area they are concerned with is totally outside of that watershed. He outlined two development concepts for council. He said the land in question has been under a land assembly program for approximately two years. Prior to the commencement of land acquisition in this area an extensive review in terms of what the planning policies were in this area and what the zoning requirements were was done in order to feel comfortable that his clients would be able to put forward a quality residential development project.

He said prior to closing the deals with respect to acquiring these lands, a number of studies were undertaken. An environmental screening of the entire area was done. It looked at soil conditions, vegetation, wildlife and ground water survey. His clients drilled between fifteen and twenty wells on that site to ensure that the quality and quantity of water was going to be there in a full development scenario. In addition to the environmental screening and the well drilling exercise there was a soils analysis that was undertaken in a section of the site where approximately an area of one acre, which had been previously been cut, was actually turned over and allowed to weather and was measured in terms of what happened to that soil and its susceptibility to erosion and its ability to revegetate.

He said new aerial photography was flown for that area and contour mapping was created for the entire 2000 acres. He said a

traffic study was done to analyze traffic on the Hammonds Plains Road and Highway 103 corridor as well as a transportation study that was done on the concept plan as it was developed. Following those studies, a market study was also undertaken by Atlantic Shopping Centres Residential Division to determine if there was a market for more residential development in that section of the county and what type of residential community the people would be looking for. Some of the results of that market survey stated such things as regardless of what minimum lot size you may be allowed to put in the zone, a one acre lot is what would be most desirable. People were looking for a community not just another subdivision. They wanted to see an area developed that had some amenities close by and built in to the actual project.

He said they were hired to undertake the master plan for the site. Through a series of conversations with the client a number of development objectives were developed. First was they would not create any lots that would be less than an acre. He said the first phase has been developed and is presently in construction for houses. He said there are no lots less than an acre and most are in excess of an acre. He said there was to be significantly and strategically located open spaces throughout the development that would see a certain amount of development on behalf of the developer. That a trail system and hiking trail system would be built and constructed as the development worked through it's phases. There are approximately 15,000 lineal feet of trail that has been cut as a result of the first phase of that project. Playgrounds have been built in terms of an actual active playground and the equipment located on it.

He said there are two concepts. Built into one concept is an 18 hole championship golf course. The second concept is 100 % residential. He said ASC has been in negotiations with an individual who is prepared to move forward on the golf course. He said there may be an announcement forthcoming. As well as recreation amenities a school site has been planned. He said they have had discussions with the School Board to determine what type of school site and area required.

He said there is also an issue with respect to church sites. He said there has been several organizations that have been interested in actually putting a church on this site. The developer has been in negotiations with a group from the United Church who are very interested in the site. He said approximately 1/3 of the site is open space. Some if very rough and some of it is quite developable.

He said ninety to ninety five percent of the lots created in the first phase are all category 1 lots. Ninety percent of the lots in phase two are also category 1 lots. He said this means that the lot size could be downed to around 30,000 square feet. He said the objective is to maintain one acre lots not the minimum

lot size. He said from the very beginning ASC had a vision for a total community that would be integrated in that area and also provide recreational opportunities for people who already live in the immediate area. He said the road system has been designed to be a safe system. He said all the streets will be paved by the developer in advance. He said ASC Residential is very concerned that the changes that are being put forward are really being put forward without a sufficient amount of background study to actually support the change that is being suggested. He said all the work that has been done with respect to background studies on this site suggests that it is more than able to handle the residential development that is being proposed.

He said there are concerns with regards to setbacks from lakes. He said there are already covenants in these lots that will achieve the same purpose as being suggested in the planning policies. He said they believe that their development objectives are not that far away from the development objectives of the municipality. He said the concern that they have is the change that is being proposed, at this point in time, without an extensive amount of discussion and opportunity for their firm and ASC directly to deal with the municipality through the planning staff and the Planning Advisory Committee. He said they would like to have council refer the components of this plan back to the PAC and staff.

Councillor Scratch asked if a golf course would be permitted in that zone.

Ms. Corser said it can at present be considered through a development agreement and that would not change under the proposed policy. She said the developers are aware of this.

Councillor Sutherland asked if ASC had, at any time, appeared before PAC with their proposal.

Mr. Zwicker said they did not appear before the PAC and they became aware of the specific amendments as a result of correspondence they received from Ms. Corser in December.

Councillor Hendsbee asked if it would be a major amendment to have the boundary line changed with regards to this proposal.

Mayor Ball said it would be major.

Councillor Hache asked if the Department of the Environment approved this particular subdivision.

Mayor Ball said if the subdivision has received approval whatever government agencies required to approve it would have approved it.

Mr. Dan Sangster addressed council. He said there are currently nine subdivisions active in Nova Scotia. He said they do have planning experience. He said they have done environmental, soil, traffic and water studies. He said they have done a master plan. He said a market study was done throughout metro including the Tantallon area to find out what, if there was a demand, what that demand would be. He said both concepts presented are for a neighbourhood sensitive to both the residents and the lands. He said their standards are higher and the end product will be one both they and the residents will be proud of. He said the studies that have been done do not support certain amendments proposed. He said they are asking council to refer their lands back to PAC for further consideration. They are not asking for them to be excluded from this amendment permanently. He said they did not appear at the various public meetings. He said their master plan was presented to planning staff for comments over two years ago and have not received any response. He said ASC has invested a lot of time and money to make this project a unique and successful neighbourhood. He said they showed a design to the Department of Transportation that would allow for a Boulevard. This was the very first boulevard that the Department of Transportation has ever allowed. He said all they are asking is to have them taken out of the amendment for the time being so they can address the PAC and planning department about what they are trying to do.

He said the golf course is not an as of right and they are not sure that it is going to proceed. He said they have received favourable responses from the Department of Health, Environment and Transportation for their planning and for the studies that they have done. He said they have made a large investment and are trying to protect their interests.

Councillor Bates asked for clarification on the amount of time the information has been with staff.

Mr. Sangster county staff has had the information but they have not heard of any major concerns or problems with their master plan. He said it came to light when Ms. Corser sent their consultants a letter. He said the lots sizes are a major issue.

Councillor Bates said Mr. Sangster stated that there has been two million dollars invested. He asked why they would not have someone attending the meetings.

Mr. Sangster said the county planning department has not done the studies which they have and which may show where there has been an error made. He said they are asking that their lands be pulled from the amendment for a short period of time so they can address these concerns with PAC.

Ms. Corser said the information they had available as indicated

was the concept plan showing the lot layout. The studies and other information only became aware of that in December. She said they had the concept plan and were informally asked for comment. She said Sobeys could do what they wanted to do under the current zoning at that time. She said at that time they felt they did not have the time to comment on a project that could proceed by right. She said they do not have copies of the studies but became aware of these in December.

Councillor Brill asked if there was anyone in his company who followed up by correspondence.

Mr. Sangster said it is his understanding that the consultants were in correspondence on a number of occasions.

Councillor Brill said he feels the request is fair and reasonable given the fact that the information only became available to county staff recently. He asked what kind of impact this would have if council did not refer it back to planning staff.

Mr. Sangster said they would have two courses of action. They would have to go to the minister themselves and if they were not successful there is one other option they would have available.

Councillor Reid asked if council was able to refer a certain section of the whole back.

Mr. Crooks said the procedure he would recommend to council is that the decision on the whole plan be deferred. The particular issues that have been raised by various speakers be referred back to PAC and staff for analysis and report back to council. He said council reserve the right to proceed on the understanding that depending on what came back, it may publish a further notice proposing to deal differently with one, two or three issues that are singled out for comment. He said at that point, having received public comment, would then be in a position to approve the entire plan either as originally advertised or with the suggested variations depending on what comes back from PAC.

Mayor Ball said he does not feel this opens up discussion on the whole plan but only on those specific items that would be deferred. He said the public hearing would be restricted to those. He said the process would not be opened up again.

Mr. Crooks said if the matter is referred back and analyzed by PAC and staff and it was determined that the issues that have been raised by this particular proponent require to be dealt with in a wider area it would be open to council to determine on the recommendation whether it was going to advertise and hear further representations with respect to the wider issue.

Mr. Shalom Mandaville addressed council. He spoke to council on

the types of lakes in the area and the lake carrying capacities. He said if anyone wishes the information on the lake systems he would provide that.

Councillor Hendsbee asked whether or not water carrying capacity would be a standard established by the Department of the Environment and, if so, he feels Mr. Mandaville's concerns should be addressed by that department.

Mr. Mandaville said the Department of Environment feels that land development is not their jurisdiction. The controls to be placed on water quality has to be at the Municipal level.

Councillor Hendsbee asked if there were any specific Land Use By-laws or Planning Strategy policies that he would like to bring to council's attention that may have implications on the water capacity of the lakes.

Mr. Mandaville he said there is no simple answer. He said it is not a matter of saying five acre lot because that size lot may not be needed. He said the residents may be willing to live closer to a lake if it is a eutrophic lake.

DECISION OF COUNCIL

Councillor Fralick said he would like to have the ASC Residential Properties Ltd. application referred back to PAC and staff.

Mayor Ball said he would suggest that council defer decision on the Municipal Development Plan for districts 1 and 3 with a time period no later than the end of March so that it can be brought back to council. He said it would mean a deferral to the end of March and a referral of specific issues namely ASC.

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

"THAT DECISION BE DEFERRED TO THE END OF MARCH"

MOTION CARRIED

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

"THAT THE ASC RESIDENTIAL PROPERTIES LIMITED APPLICATION BE REFERRED TO PAC AND STAFF"

Councillor Giffin said he has no problems with the plan and feels that staff did an excellent job. He said when this application was brought to PAC the Committee did not see any problems with the plan. He said most of the property in that area is either owned by Bowaters or is Crown land. He said there is very little private land involved in this resource designation.

Councillor McInroy said he is concerned that the motion may be too restrictive. He said when the proposed requirements in that particular zone are reviewed that may not be the only parcel of land that warrants some other consideration.

Mayor Ball said council has to be very specific in what it refers to Planning Advisory for review. He said he would have assumed that council would be referring the 100,000 square foot minimum for the plan area for development.

Ms. Corser said concerns would be covered if all lands within the MR-2 zone was referred.

The mover agreed to this.

Motion as amended:

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

"THAT THIS BE REFERRED BACK TO STAFF TO LOOK AT ALL CONCERNS EXPRESSED AND TO BRING BACK A RECOMMENDATION BY THE END OF MARCH"

Councillor Merrigan said any and all concerns that was brought to the attention of staff should be looked at.

Councillor Bates said the issue brought forward by Mrs. Earl should be brought to the attention of the legal staff.

Councillor Scratch said it was her understanding that planning was looking at changing parking standards to two spaces per 100 square feet.

Ms. Corser said that is an issue that the Sackville Community Council has spent some time on as the parking standards for Taverns had been omitted through plan review. She said a proposal was brought forward to Community Council to have that reinserted.

Councillor Scratch said she thought this was going to be consistent with all plans.

Deputy Mayor Cooper asked if this deferral included the Bowater submission. Mayor Ball confirmed this.

Councillor Hendsbee asked if there had been a request of staff for the possibility of changes in regards to having a lounge adjacent to dining rooms.

Mayor Ball said plans are developed by the people for their own specific areas.

Councillor Giffin said there is no place in Nova Scotia that you can have a dining room without a lounge or a lounge without a dining room. He said the rules for these are not set by the County.

Mayor Ball said that the County cannot override Provincial government policy.

MOTION CARRIED

ADJOURNMENT

It was moved by Councillor Merrigan:

'THAT THE MEETING BE ADJOURNED'

MOTION CARRIED

MINUTES & REPORTS
OF THE
FIRST YEAR MEETINGS
OF THE
FORTY-FIFTH COUNCIL
OF
HALIFAX COUNTY MUNICIPALITY
FEBRUARY COUNCIL SESSION
TUESDAY, FEBRUARY 7 & 21, 1995
&
COMMITTEE OF THE WHOLE
FEBRUARY 27, 1995

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COUNCIL SESSION

February 7, 1995

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

ALSO PRESENT: K. R. Meech, Chief Administrative Officer
Nancy Dempsey Crossman, Municipal Clerk
Allan Dickson, Municipal Solicitor

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

APPOINTMENT OF RECORDING SECRETARY

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

"THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

Mayor Ball said the under a specific By-law of the Halifax County
Charter if a Councillor misses three successive meetings a
special resolution of Council is required in order to give leave
to the Councillor.

It was moved by Councillor Giffin, seconded by Councillor

Sutherland:

"THAT BY RECORDED RESOLUTION COUNCIL GIVE COUNCILLOR
PETERS LEAVE DUE TO MEDICAL REASONS"

MOTION CARRIED

APPROVAL OF MINUTES

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

"THAT THE MINUTES OF JANUARY 3, 1995 COUNCIL SESSION BE
APPROVED"

MOTION CARRIED

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

'THAT THE MINUTES OF JANUARY 17, 1995 COUNCIL SESSION
BE APPROVED"

MOTION CARRIED

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

'THAT THE MINUTES OF THE NOVEMBER 1, 1994 SPECIAL
COUNCIL SESSION BE APPROVED"

MOTION CARRIED

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

'THAT THE MINUTES OF THE NOVEMBER 15, 1994 SPECIAL
COUNCIL SESSION BE APPROVED"

MOTION CARRIED

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

"THAT THE MINUTES OF THE DECEMBER 6, 1994 SPECIAL
COUNCIL SESSION BE APPROVED"

MOTION CARRIED

Councillor Hendsbee referenced page six, paragraph four of the
December 19, 1994 Special Council Session minutes stating that he
would like to have it clarified that he had put forward projects
forward but this particular project was also put forward, on the

Federal and Provincial list, by the Member of Parliament and Member of the Legislature. He said he did put the projects forward but they did not get past this Council.

Mayor Ball said there had been the Lake Echo and the East Preston projects. He said the projects had been brought forward and deferred pending more information at the suggestion of Councillor Hendsbee.

Councillor Hendsbee confirmed this.

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

"THAT THE MINUTES OF THE DECEMBER 19, 1994 SPECIAL COUNCIL SESSION BE APPROVED WITH THE ABOVE CLARIFICATION"

MOTION CARRIED

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

'THAT THE MINUTES OF THE AUGUST 10, 1994 PUBLIC HEARING BE APPROVED"

MOTION CARRIED

AWARD OF CERTIFICATE TO PEDDLE FAMILY - COUNCILLOR MITCHELL

Councillor Mitchell welcomed the Peddle family. He said this award is a citation for bravery. He said the family lives in Prospect Bay and were instrumental in saving a neighbour from drowning. Mayor Ball presented the family with a certificate of appreciation.

PRESENTATION - PEOPLE AGAINST CASINOS IN NOVA SCOTIA

Mr. Iain Coll made a presentation, to Council, on behalf of People Against Casinos in Nova Scotia. After a question and answer period between Mr. Coll and Council members, Mayor Ball thanked Mr. Coll for attending the meeting and informed him that he would be advised of any action Council may take with respect to the information provided.

HALIFAX COUNTY G-7 SUMMIT COMMITTEE

Mr. Meech said this had gone to the Executive Committee and it was being recommended that a budget of \$50,000 be approved. He said what is being suggested is that Council endorse this proposal and provide the \$50,000. as a budget and the Summit Committee would fine tune the details before it is actually

undertaken.

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

"THAT APPROVAL BE GIVEN TO THE HALIFAX COUNTY G-7 SUMMIT COMMITTEE BUDGET OF \$50,000 AS OUTLINED IN THE MEMORANDUM AND STAFF REPORT DATED JANUARY 23, 1995"

MOTION CARRIED

LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from the Halifax County - Bedford District School Board in response to council's correspondence concerning the air quality at Bell Park Academic Centre.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from the Department of Transportation and Communications in response to Council's correspondence requesting a name change in the Blind Bay area of Route 333.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Ms. Dempsey Crossman outlined a letter from the Lake Echo Lions Club expressing appreciation to Council for their support in the funding of the expansion of the community centre.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a letter from Metropolitan Authority with regards to an amendment to the Waste Disposal Fee By-law.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Ms. Dempsey Crossman outlined a letter from MT&T with regards to the information highway and the support that MT&T has with the governments' initiative.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

6. Ms. Dempsey Crossman outlined a letter from Environment Canada in response to Council's correspondence with regards to PCB destruction.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

7. Ms. Dempsey Crossman outlined a letter from the Camp Hill Medical Centre Foundation advising of the appointment of Neil Roberts as the interim president and chief executive officer of the Queen Elizabeth II Health Sciences Centre.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

8. Ms. Dempsey Crossman outlined a letter from the Municipality of East Hants with regards to the 1995/96 municipal budgeting exercise and municipal reform issues.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

9. Ms. Dempsey Crossman outlined a letter from Murphy's On the

Water with regards to the proposed Ferry By-law Amendment.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

10. Ms. Dempsey Crossman outlined a letter from the Union of Nova Scotia Municipalities with respect to the Korea Veterans' Association of Canada.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Ball said he would suggest that each Councillor would identify the criteria whether or nor the Korean Veterans' Association has been recognized at the various cenotaphs and in what capacity. He said this information could be provided to the clerk's office so that the information can be provided to the Association.

11. Ms. Dempsey Crossman outlined a letter from the Sackville Economic Development Committee clarifying the direction that the Committee is heading.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Harvey asked if there have been any changes to the Status Quo in terms of the Economic Development Strategy that now exists in Halifax County, particularly Sackville.

Mayor Ball said it is his understanding that to date the County's RDA process and the Sackville Economic Development is all in sync. There is an initiative coming forward from the Province that is a marketing and sales promotion initiative for which they are fine tuning an agreement now. He said the Greater Halifax Economic Development Partnership has held a meeting and basically the province is coming forward with an initiative spending approximately \$100,000 over the next six months to develop a marketing strategy in conjunction with the Metro Amalgamated Chambers of Commerce. He said that agreement will be forthcoming

in approximately six months. He clarified for Councillor Harvey how the letter had come before Council. He said he, Mr. Meech and Mr. McLellan will be meeting with the Sackville Councillors and the Economic Development Policy Committee to get some clarity on the RDA and this GHEDA approach.

Mr. Meech said at some point the funding issue will have to be dealt with because Council had agreed that Halifax County funding was to be allocated to the County RDA. He said at some point, the Metro partnership will require some financial contribution as well and it will then have to be decided whether or not there will be a portion that will be set aside for Economic Development or whether that will be in addition to that. He said the Province has agreed to provide the \$100,000 necessary to get it started for the first six months.

Councillor Hendsbee asked if there has been any indication from the Province as to whether they were in agreement with the County RDA proceeding.

Mayor Ball said the Minister has signed off on it and a letter should be forthcoming.

Councillor Reid said he would request that a letter be written on behalf of the County to the Minister. He said the County application has been there for three months and his understanding is that it was approved shortly after the new year and word has not yet been received.

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

"THAT A LETTER BE WRITTEN TO THE MINISTER REQUESTING THE APPROVAL"

MOTION CARRIED

12. Ms. Dempsey Crossman outlined a letter from the UNSM with regards to the Regional Public Library Funding Review Committee and a request for input on two items.

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

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Harvey said to his understanding this is dealing with the mandatory amount. He said he feels the population base is a good one but when the County splits up the mandatory, with Bedford, the population formula is not as attractive and the

County ends up spending more percentage points. He said if it is based on assessment the County would do better. He said the Library Board has endorsed the overall direction that the funding formula attempted going in. He said the Library Board's position, with regards to opting out, is they don't feel the municipality should have the opportunity to opt out of the mandatory funding because that puts the Library service in peril. He said it may be a failed attempt to find a formula mainly because the Province will not recognize that the money they are providing is too small.

Mr. Meech said there is obviously a difference when talking about the distribution of funds and from his point of view the municipality should be taking the position that it should be on the basis of assessment or ability to pay. He said if amalgamation proceeds there will be just one municipality. He said the municipality should continue to put forward the position that assessment or ability to pay should still be part of that formula.

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

'THAT THE LETTER BE REFERRED TO THE EXECUTIVE COMMITTEE WITH THE REQUEST THAT A STAFF REPORT COMING FORWARD WITH RECOMMENDATIONS AT THAT TIME'

MOTION CARRIED

14. Ms. Dempsey Crossman outlined a letter from the Department of Transportation and Communications with regards to plowing on Kings Road.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Ms. Dempsey Crossman outlined a letter from the Municipality of the District of Lunenburg with regards to the proposed takeover of roads.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

2. Ms. Dempsey Crossman outlined a letter from John Holm, Acting Leader, Nova Scotia NDP, with regards to sidewalk construction no longer being a provincial responsibility.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

Councillor Harvey sent this was sent to the Minister because the Community Council knows the exchange is imminent. He said a number of the projects on the Priority List involve cooperation with the province because there is more than sidewalk involved. In the case of the first two priorities, non J class roads. He said that is why the list went to the Minister.

3. Ms. Dempsey Crossman outlined a letter from the Minister of Natural Resources in response to Council's letter concerning the acquisition of the abandoned railway corridor between Halifax and Chester.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

4. Ms. Dempsey Crossman outlined a letter from the Department of Transportation and Communications in response to Council's correspondence regarding the feasibility of eliminating whistling at certain public crossings in Windsor Junction.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

5. Ms. Dempsey Crossman outlined a letter from the Minister of Municipal Affairs with regards to a four year plan the Department is developing.

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

'THAT THE LETTER BE RECEIVED'

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

File No.'s RA-8&9-04-94-06 and ZA-8&9-23-94 - Amendments to the I-2 (Salvage Yard) Zone requirements under the Land Use By-law for Planning Districts 8&9; Application by Linda Way and Bill Atkinson to rezone a portion of the lands on the South side of Highway No. 7 in Porters Lake

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

"THAT THE PROPOSED AMENDMENTS TO THE I-2 (SALVAGE YARD) ZONE AND THE REZONING APPLICATION BE APPROVED AND THAT A PUBLIC HEARING BE SCHEDULED FOR MARCH 13, 1995, AT 6:00 P.M."

MOTION CARRIED

File No. CDD-EPCB-04-94-06-A1 - Amendments to the Heritage Hills Development Agreement

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

'THAT THE AMENDING AGREEMENT BE APPROVED AND THAT IT BE CONSIDERED BY COUNCIL AT ITS REGULAR SESSION ON FEBRUARY 21, 1995 AND IN THE INTERIM, NOTIFICATION TO ABUTTING PROPERTY OWNERS WOULD OCCUR"

MOTION CARRIED

Copy of Order from the Nova Scotia Utility and Review Board

It was agreed by Council to receive the information.

File No. PA-LAW-12-93 - Amendments to the Municipal Planning Strategy for Lawrencetown to allow for certain tourist related accommodations and certain water related recreation uses within the Lawrencetown Designation by development agreement

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

'THAT THE PUBLIC HEARING BE RESCHEDULED FROM FEBRUARY 27TH TO MARCH 13, 1995, AT 6:00 P.M."

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Co-operative Grants re Cultural and Recreational Facilities

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

'THAT COUNCIL APPROVE THE APPLICATION FROM LAKE DISTRICT RECREATION ASSOCIATION OF THE COMMUNITY OF SACKVILLE, FOR FUNDING UNDER THE CAPITAL GRANT POLICY IN THE AMOUNT OF \$113,600"

MOTION CARRIED

Lively Subdivision STP Land Acquisition

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

"THAT COUNCIL APPROVE THE PURCHASE OF LOT 2 OF SACKVILLE SUPPLIES LIMITED FOR LIVELY SUBDIVISION TREATMENT PLANT IMPROVEMENTS AT A COST OF \$30,000"

MOTION CARRIED

Mill Cove STP 2nd Expansion Phase 1 Oxygen Storage and Dissolution Systems Pre-Selected Equipment

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

"THAT THE THE TENDER BE AWARDED TO LOTEPRO CORP. FOR \$1,220,000 AND THE AGREEMENT EXECUTED"

MOTION CARRIED

"THAT CANADA POST AND ADVERTISEMENTS IN THE LOCAL NEWSPAPERS BE UTILIZED FOR NOTIFYING COUNTY RESIDENTS OF IMPORTANT ISSUES AND, WHEN TIME PERMITS, PRINTED MESSAGES ON WATER BILLS BE UTILIZED AS WELL"

MOTION CARRIED

Licensing Process for Video Retail Outlets

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

"THAT THE FOLLOWING RECOMMENDATIONS BE APPROVED BY COUNCIL:

1. That the Province remain the regulatory body for retail video outlets;
2. That the Province remain the classification agent for retail videos; and,
3. That council make representation to the Department of Housing and Consumer Affairs requesting that they take a strong look at the classification system and existing regulations concerning the display and rental of x-rated video materials."

MOTION CARRIED

Capital Grant Request

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

"THAT DISTRICT CAPITAL GRANT, DISTRICT 1, IN THE AMOUNT OF \$500.00 BE APPROVED"

MOTION CARRIED

Withdrawal from Special Reserve

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

"THAT COUNCIL APPROVE WITHDRAWAL WSR94/95-03 - PRINCIPAL REPAYMENT - \$424,000"

MOTION CARRIED

Closed Business Accounts

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

'THAT COUNCIL AUTHORIZE THE WRITE OFF OF THE UNCOLLECTIBLE CLOSED BUSINESS ACCOUNTS IN THE AMOUNT OF \$41,635.16"

MOTION CARRIED

Request for Loan - North Preston Community Centre

Councillor Hendsbee said he would like to have this item deferred. He said the community is holding a meeting to decide whether they are in support of an area rate for the outstanding loan as well as the additional request.

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

"THAT THE ITEM BE DEFERRED TO THE NEXT COUNCIL SESSION"

MOTION CARRIED

SERVICE STANDARDS COMMITTEE REPORT

Fire Apparatus Purchase Process

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

"THAT COUNCIL APPROVE THE FIRE SERVICE POLICY TO ESTABLISH A PROCESS FOR THE SPECIFICATION AND PURCHASE OF FIRE SERVICE VEHICLES'

Deputy Mayor Cooper asked if this policy would result in standardization of equipment that is needed by the department both in the rural and urban areas.

Mr. Meech said over a period of time it may be determined that there are certain types of equipment that would be good value for the dollar. He said the process is attempting to keep in place the fact that the end user, the fire departments, are going to have an opportunity to participate in that process. He said this would help identify quality equipment.

Mayor Ball said this would ensure that a proper evaluation is done.

Councillor Merrigan said he feels the local councillor should have some input when there is a major purchase in his community.

Mr. Meech said from his point of view it is an administrative process and he personally does not see where it is appropriate to have a council member sitting in on that process.

Mayor Ball said in most areas the fire departments ensure that the councillor is on side and supportive of what they intend to do.

Councillor Giffin said there is a fire commission in his area and he would like to know if they are exempted from this policy.

Mayor Ball said it is his understanding that this would be no different from the Waverley Village Commission.

Councillor Reid asked if the Halifax County Fire Chief's Association and each department within the municipality had been provided copies of this proposed purchasing policy.

Mr. Meech said to his knowledge they have been. He said it is also his understanding that before it went to the Service Standards Committee there was a consensus from the Fire Advisory Committee.

Mayor Ball said it can be very difficult to standardize the fire vehicles required for individual areas for example rural fire departments versus the more urban areas.

MOTION CARRIED

BY-LAW TO REPEAL A PORTION OF BY-LAW NO. 13, THE DOG BY-LAW

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

"THAT COUNCIL REPEAL A PORTION OF BY-LAW NO. 13, THE DOG BY-LAW"

MOTION CARRIED

RECORDED RESOLUTION - FEE FOR DOG LICENSE TAG

It was moved by Sutherland, seconded by Councillor Giffin:

"THAT THE RECORDED RESOLUTION RE: FEE FOR DOG LICENSE TAG BE APPROVED"

Councillor Mitchell said that a kennel fee is \$10.00 and yet the fee for a single license is \$20.00.

Mayor Ball said that this may be because dogs in a kennel are there only on a temporary basis. He suggested council approve the recorded resolution with clarity on kennels to come forward at the February 21, 1995 council session.

MOTION CARRIED

LANDFILL EXTENSION AGREEMENT

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

'THAT THE RECORDED RESOLUTION BE APPROVED AND FURTHER MAYOR BALL BE AUTHORIZED TO SIGN THE CONFIRMATION CORRESPONDENCE TO METROPOLITAN AUTHORITY"

MOTION CARRIED

LAKE ECHO COMMUNITY CENTRE EXPANSION - ARCHITECTURAL SERVICE REPORT

Councillor Hendsbee said he would like to ask council for consideration that the project be sole sourced with regards to an architect for this project.

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

'THAT COUNCIL APPROVE SOLE SOURCING ON THE ARCHITECTURAL SERVICES"

Mayor Ball reminded council this is not in conformity with the County policy and procedures.

Councillor Bates said he was speaking in opposition to the motion.

Councillor Giffin said he was not in favour of the motion.

Councillor McInroy said he was not in favour of the motion.

Mayor Ball said he is concerned that the time was spent to do this on behalf of the community with the expectation that if the project got approved they would receive the contract.

Councillor Hendsbee said he would be willing to withdraw the motion and have the contract awarded in accordance to policy.

MOTION WITHDRAWN BY COUNCILLOR HENDSBEE

It was agreed that the contract would be awarded according to the Halifax County Tendering Policy.

ALARM SYSTEMS REPORT

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

'THAT THE REPORT BE RECEIVED'

MOTION CARRIED

Council agreed that direction be deferred to the February 21, 1995 Council Session.

PROCLAMATION - TOUGH LOVE

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

'THAT COUNCIL PROCLAIM THE WEEK OF FEBRUARY 13, 1995 AS TOUGHLOVE WEEK IN HALIFAX COUNTY'

MOTION CARRIED

COVERALL HOME SERVICES

Ms. Dempsey Crossman said that Cox Downie has advised that there are no provisions to authorize a grant or financial assistance to a for profit business such as Coverall Home Services. She said there is also a report from the Director of Social Services wherein he advises that Coverall Home Services does not meet the criteria for a Social Services grant so; therefore, this option is not recommended.

Councillor Dooks said he is still in support of Coverall Home

Services.

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

'THAT THE MOTION OF DECEMBER 6, 1994 THAT, COUNCIL NOT SUPPORT THE REQUEST BY COVERALL HOME SERVICES, BE RESCINDED"

Councillor McInroy said he was speaking against the motion.

Councillor Bates said this had gone through Service Standards Committee and it was suggested, at that time, that the Councillors from the area have the option of providing the funds by way of an area rate.

Councillor Hendsbee said this was providing a transit service to an area that did not have a para transit service available.

Mayor Ball said a one time grant had been approved for a transit service on a previous occasion.

Councillor Merrigan said this is a different situation. He said the service in Harrietsfield had been a van pool system. He said a proper transit license had to be obtained for the para transit service. He said he cannot support this as a para transit service. He said better information should have been given with regards to the numbers being transported. He said this company is providing more of a taxi service for a fee and he therefore finds it very difficult to put this under the Para Transit Policy. He said in order to provide funds under the Para Transit Policy the Councillors have to agree to put an area rate in place to support any losses that the operation may experience.

Councillor Rankin said he would support the motion of rescindment. He said he feels there is a public need being filled by this service.

MOTION OF RESCINDMENT DEFEATED

CROSSWALKS - COUNCILLOR RANKIN

Councillor Rankin said there is significant pedestrian traffic across the road from the Medical Clinic to the Drug Store as well as other nearby points he would request that the Department of Transportation consider the establishment of a crosswalk at this area on the St. Margarets Bay Road in Lakeside/Timberlea.

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

'THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS REQUESTING THE

SIDEWALK"

MOTION CARRIED

DOT - "NO PARKING" SIGN REQUEST

Councillor Rankin said the No. 3 Highway through Lakeside is very busy along a relatively narrow highway especially in the vicinity of civic number 1407 through to 1433. He said there is adequate parking in the rear of the apartment buildings at these addresses he would like to request that the Department of Transportation consider the establishment of a "No Parking" zone along this portion of the Highway.

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

'THAT A LETTER BE WRITTEN TO THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS REQUESTING THE ESTABLISHMENT OF THE "NO PARKING" ZONE AS OUTLINED"

MOTION CARRIED

COMMITTEE OF THE WHOLE RECOMMENDATIONS

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

'THAT COUNCIL APPROVE THE APPOINTMENT OF DAVID NANTES AS THE HALIFAX COUNTY REPRESENTATIVE FOR HAYWARD'S CITIZENS COMMITTEE"

MOTION CARRIED

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

'THAT COUNCIL APPROVE THE PROPOSAL TO DEVELOP A STRATEGIC PLAN FOR DEVELOPMENT OF THE AEROTECH BUSINESS PARK AND OTHER NON-AVIATION SERVICES IN COLLABORATION WITH SERCO AND FURTHER THAT THE PROPONENT ATTEND A FUTURE COMMITTEE OF THE WHOLE MEETING TO MAKE A PRESENTATION"

MOTION CARRIED

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

"THAT THE WATER UTILITY POLICIES BE APPROVED BY COUNCIL"

Deputy Mayor Cooper reference the report dated September 1, 1994 and asked if it had been tendered or requested of the company.

Mr. Brothers said the report had been initiated as the result of the Water Utility attempting to modify the rules and regulations governing the operation of the Utility by having the Utility administer the financial plan for the Municipality for new capital works.

Deputy Mayor Cooper said the report is basically a repeat of the 1993 report that was received from staff. He asked if the County was looking at different rates in different water service district in areas covered by the Utility.

Mr. Brothers said in terms of the rates, established by the Public Utilities Board, the answer is no. He said what is being talked about is particular infrastructure requirements were transmission mains or reservoirs for a particular area would require a substantial expenditure to provide long term servicing requirements. He said consequently any consideration or lot levy would be on the basis of only the required infrastructure to service that particular geographical area. Since each area is different there is particular infrastructure required to service a designated geographical area so the cost would be different. Should council decide to apportion any part of that capital cost in terms of a lot levy or some other form of contribution from the end user then, what is being proposed is for council to have before it the full information on the area to be serviced, the infrastructure required, what the full costs are and, through Corporate Services, prepare some options for Council's consideration as to whether Halifax County would pay for the net amount after the Water Utility contribution is netted out or whether Council, as the result of limited funds available to it, would decide to apportion a part of that cost to the end user. He said before any capital cost contribution or lot levy for consideration is proposed by staff, all the information would be brought forward for Council. Council would then establish whatever type of contribution, if any, from each particular area. He said the costs would be dependent on required infrastructure to provide servicing in that Water Service District.

Deputy Mayor Cooper asked how this would apply with respect to the Bedford By-pass.

Mr. Brothers said that this was a necessary transmission item to provide full transmission services both to the Bedford area, Lower Sackville, Windsor Junction and ultimately Beavertank and the Waverley area. He said it was a component part of infrastructure that was an originally identified at the inception of the Utility in 1970. He said what this report is attempting to do is identify those significant capital works components that will provide the transmission of pumping and storage facilities for the originally identified serviceable area. This is one of those component parts.

Deputy Mayor Cooper said he is having difficulty trying to envisage how the Water Utility is going to separate areas of Water Service Districts. He said they are now all tied together including the new areas that have been added. He asked if the tender that was advertised in the paper included more than just the by-pass. Did it include domestic services?

Mr. Brothers said if there is an extension you would want the systems to tie together. You want to have integration and be able to supply water on a system wide basis. As the systems expand outside the serviceable area you want to ensure that they integrate well to the existing area and take benefit of existing infrastructure, transmission mains, reservoirs and service. The Bedford By-pass Watermain Project is intended as a transmission main to take water primarily to the Lower Sackville area. In doing so there is a benefit derived in the Town of Bedford that large quantities of water don't have to be moved at high flow rates through the Town. Once that transmission main enters Lower Sackville the County has to tie into the distribution system in Lower Sackville. He said there are some pressure considerations that have to be placed there because high pressure water is brought in and integrated with a lower pressure existing feed. Consequently, there is a small amount of brider main that has to take into account local servicing to accommodate the integration of the transmission main into Lower Sackville. It is a very small component and more of a tidying up of the transmission main job. It does not affect customers that are serviced right at the Sackville Drive/Cobequid Road area. He said approximately 95% of the project is strictly a transmission water main.

Deputy Mayor Cooper said he feels the Utility is basically changing the operational procedure of the municipality. He said he fails to see how the residents are going to be able to afford many of the items that come down. He said he still does not feel he has received adequate explanation as how the rates the Water Utility is charging, which he would assume are part and parcel of the long term borrowing by the Water Utility, is going to be charged to the new customers as well as these customers having to pay for their own extension.

Mayor Ball asked if, based on this report, that the current Water Utility customers, down the road, are going to have to pay for additional infrastructure to the system.

Deputy Mayor Cooper said that is what the report says. It says that if infrastructure goes in those that are going to be using it are going to be paying for it.

Deputy Mayor Cooper said they would also be paying for the infrastructure that is already there that the Utility has borrowed money for although, in effect, they may not be using it. He said it could be in one part of the Utility and if they are in

another, why should they be paying both.

Mayor Ball said what the Deputy Mayor is suggesting is that there be different rates for different water service districts.

Deputy Mayor Cooper said that what the Utility is saying is that everyone is going to be paying the same rate. Part of that rate is for the borrowings that have already made but yet they are going to be paying for all their own infrastructure and they are paying for the infrastructure of the others that are already there.

Mayor Ball said didn't the people who currently have the infrastructure pay for that infrastructure.

Deputy Mayor Cooper said they did not because that was borrowed money, there is interest there that is being paid for and the new people are going to be paying for it in addition to their own.

Mr. Brothers said he had looked at the debt servicing charges for the Water Utility and the bulk of the debt servicing; principal and interest payments that the Utility got involved with to install main services are more or less retired come 1997. Looking at the main infrastructure that the Utility has to finance since 1970, these are substantially paid for. There is very little left in interest and all that is left is paying the last couple of principal payments over the next couple of years. Some of the new infrastructure such as the new reservoir in Lower Sackville and the extension to Waverley are more current debt servicing. He said if they were to look at the older debt of the system it is substantially paid for. The new debt that is being looked at in terms of new capital works and the Bedford Bypass will have an impact on the overall debt servicing both principal and interest. He said the transmission main will be taking water to Lower Sackville as well as to the residents in Lower Sackville. Some of the newer communities where water has been extended in Lower Sackville will have utilization of the Sackville reservoir. It will be filled through transmission mains and the new Bedford Bypass. Any new customers that are coming, in new areas, will be paying very little towards existing infrastructure that was put in place over twenty years ago. He said this is substantially paid for. With regards to the new capital works that are coming on the majority of the customers in the Utility will be deriving benefit from that.

He said the policy calls for new areas where new significant infrastructure has to be put in place. He said they are proposing a method or option available to identify what the overall costs for that infrastructure will be. He said before they get involved with major extensions they should identify what the overall costs are and how they are to be paid for. He said federal and provincial dollars are not readily available and what