

Councillor Benjamin stated that he has seen in a local medium the resumes of nominees and almost the acceptance of these nominees before the business has come before Council and feels that these things should not be published before Council has a chance to approve such nominees.

It was moved by Councillor Lawrence and seconded by Councillor Margeson:

"THAT a letter of thanks be sent to those people who are being replaced on the Industrial Commission, thanking them for their long and faithful service in the interests of the County."
Motion Carried.

It was moved by Councillor Fader and seconded by Councillor Sutherland:

"THAT Council adjourn for 15 minutes while the Nominating Committee meet to fill the vacancies on various committees."
Motion Carried.

Council resumed Session at 3:00 p.m.

It was moved by Councillor MacKenzie and seconded by Deputy Warden Gaetz:

"THAT the Report of the Warden be received."
Motion Carried.

Councillor Sutherland questioned the Warden regarding funding for the water - sewer projects, which was discussed and Councillor Poirier pointed out to Councillor Sutherland that unless there's a three year commitment from Ottawa, her area can't get their costs lined up because it's a three year project.

It was moved by Deputy Warden Gaetz and seconded by Councillor Baker:

"THAT the Report of the Director of Planning and Development be approved."
Motion Carried.

It was moved by Councillor Lawrence and seconded by Councillor Deveaux:

"THAT the Report of the Planning Advisory Committee be approved."
Motion Carried.

It was moved by Deputy Warden Gaetz and seconded by Councillor Lawrence:

"THAT Council accept title to Willowdale Estates Subdivision, Cole Harbour, Tot Lots C22 and B9 on Brookfield Avenue and Spence Drive subject to the Solicitor certifying the title and the district concerned accepting the responsibility for the costs of maintenance and improvements."
Motion Carried.

It was moved by Councillor Lawrence and seconded by Councillor Topple:

"THAT Council accept title to walkway between Lots 8A and 9A on Cathy Lane, Leo Casavechia Subdivision, Cole Harbour, subject to the Solicitor certifying the title and the district concerned accepting the responsibility for the costs of maintenance and improvements."
Motion Carried.

It was moved by Councillor Sutherland and seconded by Councillor Lawrence:

"THAT Council accept title to Tot Lot between Lots A35 and A34 Gloria Avenue and Reserved Park Area adjacent to Little Sackville River in Maple Grove Subdivision, Sackville, subject to the Solicitor certifying the title and the district concerned accepting the responsibility for the costs of maintenance and improvements."
Motion Carried.

It was moved by Deputy Warden Gaetz and seconded by Councillor McCabe:

"THAT Council accept title to Public Park P-1R on Marjorie Drive, Marjorie Hodgson Subdivision, Porters Lake, subject to the Solicitor certifying the title and the district concerned accepting the responsibility for the costs of maintenance and improvements."
Motion Carried.

It was moved by Councillor Benjamin and seconded by Councillor Sutherland:

"THAT Council accept title to Tot Lot 41S on Howe Avenue, Schwartzwald Subdivision, Fletcher's Lake, subject to the Solicitor certifying the title and the district concerned accepting the responsibility for the costs of maintenance and improvements."
Motion Carried.

It was moved by Deputy Warden Gaetz and seconded by Councillor Deveaux:

"THAT March 12th be the date of two public hearings re Rezoning Applications No. 21-78

and 22-78."
Motion Carried. (See motion to rescind.)

Item number 13 regarding public hearings on March 26th re Rezoning applications numbered 24-78 and 25-78 was discussed. Councillor Fader was concerned that the date is 5 weeks away and perhaps something may be held up by putting it ahead for such a period. Mr. Gough of the Planning Department stated that suggestions had been made that public hearings be kept approximately two per evening, due to the length of some hearings. He advised that the items spoken about have already taken place and a public hearing on the 26th will not inconvenience either party.

It was moved by Councillor Eisenhauer and seconded by Deputy Warden Gaetz:

"THAT a public hearing be set for Monday, March 19th at 7 p.m."
Motion Carried.

Councillor Cosman wondered if the hearings on March 12th would be sparsely attended because it is March Break and perhaps they should all be moved to the 19th.

It was moved by Councillor Cosman and seconded by Councillor Sutherland:

"THAT the two public hearings on March 12th be rescinded."
Motion Carried.

It was moved by Councillor Cosman and seconded by Councillor Benjamin:

"THAT Council give Notice of Intention to hold a public hearing on March 19th at 7 p.m. for the following applications - #24-78, 25-78, 21-78 and 22-78." Motion Carried.

Councillor Margeson asked whether it was not the intention of Council to try to have two Council meetings a month and that the period of 7 o'clock in the evening be set aside for public hearings so that Council would not have to have an extra day to come in.

Deputy Warden Gaetz questioned the advisability of holding four public hearings in one evening in case one may be quite lengthy and Councillor Sutherland reminded Council that at the last public hearing three were done within an hour.

Councillor Lawrence proposed that Council deal with the Supplementary Report of the Planning Advisory Committee.

Mr. Kelly then read the Supplementary Report of the Planning Advisory Committee.

It was moved by Councillor Lawrence and seconded by Councillor Cosman:

"THAT the Supplementary Report of the Planning Advisory Committee be received." Motion Carried.

At this point it was requested by Council that Mr. Gough explain the situation regarding the Supplementary Report of the Planning Advisory Committee. Mr. Gough pointed out maps on the wall of Council Chambers and noted that the Sections in the Report should read 49B, C, D and E. Mr. Gough then explained that in early 1975 there appeared to be industrial uses in municipal districts which did not have specific zoning and it was felt by Council that there should be a control over industrial uses within the Municipality. The By-Law was then amended and referred to the municipal districts which were in existence in 1975. In the latter part of 1975 district 3 was added and it was an amendment to the industrial uses By-Law. In 1977 a redistribution took place which changed the district boundaries, particularly in the Sackville area. They were the areas that have since, as the result of redistribution, been broken down into five districts and that is the reason why the old district 15 did not have the industrial use section of the By-Law applying to it. It is felt that if some Councillors wish to have the remaining portion of their districts included in this By-Law, this might be the time to do it and this is the intent of the Planning Advisory Committee's Report to Council.

Councillor Deveaux asked if Mr. Gough would explain the latter portion of 49B, I-1, I-2 or IP and Mr. Gough explained that those are two other sections of the industrial zoning By-Law. The IP pertains to the Industrial Park, which is the only IP zoning in Lakeside, the I-1 and the I-2 are other designations which are on the zoning maps. Texaco would be an example of the industrial use in Eastern Passage which is covered by the I-1 and they would not require a public hearing if they wished to expand within the I-1 zone.

Councillor Margeson stated that if Council had learned anything from the recent public hearings that they would be strongly considering having this in every district because the big word coming to him is the word "hearing" and if someone is going into a portion of Halifax County and wishes to put an industry in, people want to be heard about these kind of things.

Warden Settle suggested that there is a provision that they can be added upon and Mr. Gough explained that the original legislation was drawn up to cover the entire Municipality but there were some Councillors who were not in agreement with it.

Deputy Warden Gaetz stated that committees in his area rezoned certain areas and where they want to determine to be an industrial area will be up to them.

Councillor Deveaux asked Mr. Gough if half of district 18 was covered under this By-Law and how could one half an area be covered.

Mr. Gough explained that the old district 17, which was that portion which was in Bedford, was covered and the legal description shown on the map and the district, did not coincide with the district boundaries as they were in 1975.

Councillor Deveaux suggested that this should have been brought to someone's attention at that time. Mr. Gough agreed that it would have been better if it had but at the same time when district #3 was added by Councillor Lawrence it was discussed on the Council floor.

Councillor Lawrence said that was before the redistribution and immediately after she was elected in the by-election in the Fall of 1975 and it was before the districts in the Sackville area had been redrawn.

Councillor MacKenzie stated, as his district is all General Zoning, that he would like to have his district opt out of this as far as industrial zoning is concerned.

Warden Settle suggested that this motion is just applying to district 18.

Mr. Bensted advised that the motion deals with the Supplementary Report of the Planning Advisory Committee. Following receiving of the Report if Councillor Eisenhower wishes to add his district there will have to be a resolution dealing with that, and the same is required for any district.

Council then discussed this topic at length and several Councillors were concerned about the red tape necessary to obtain a public hearing for each industry which would wish to settle in a district. Several other Councillors stated that their people want to have input in any such decision.

Councillor Sutherland requested a definition between industrial and commercial and Mr. Gough gave a rough explanation of the two.

Mr. Bensted stated that it has always been interpreted unless a business can be determined commercial it is considered industrial.

Councillor Lichter suggested that there had not been enough time to digest the Report for other districts named in the Report, and that if Councillor Eisenhower wishes to make a motion concerning his district now, that's fine, but let's leave the other districts out of the debate, for a later date, when all Councillors have had sufficient time to really analyse the Report.

Warden Settle called for the question.

Motion Carried.

It was moved by Councillor Eisenhower and seconded by Councillor LaChance:

"THAT the Solicitor be instructed to prepare an amendment to the Zoning By-Law in order to add the following districts under the Industrial Uses of the Zoning By-Law under Section 49B, 49C and 49D for districts 8, 15, 18, 19 and 20."
Motion Carried.

It was moved by Councillor Walker and seconded by Councillor Poirier:

"THAT the Report of the Chief Building Inspector be approved."
Motion Carried.

Mr. Bensted introduced the next item on the agenda which is the Report of the Public Works Committee and it is recommending Council endorse a recommendation contained in the summary of the Report. Attached to it is a report with respect to an interim task force on drainage management. This was an "ad hoc" interim task force which was initiated through the Public Works Committee in an attempt to try to get a handle with respect to drainage management in the Municipality of the County of Halifax and the task force recommends five items on the second page.

It was moved by Councillor Topple and seconded by Councillor Deveaux:

"THAT the Report of the Public Works Committee be approved." Motion Carried.

Mr. Bensted suggested there should be a resolution dealing with the recommendation of the Committee, a request to the Provincial Department with respect to setting up a permanent task force.

There was some discussion by the Councillors regarding drainage problems and Councillor Benjamin asked if perhaps this wouldn't be a duplication of what the Department of Environment should be doing.

Mr. Bensted suggested what would happen would be a system set up where the Department of Environment would be the key people, along with the Department of Highways, in setting down criteria and regulations which could be established and could be enforced and in order to be enforced it must have Provincial clout to do it. The Departments have to work together and this is why it is proposed that a task force involve the various Departments as there will have to be a considerable amount of money available in the initial stages of development.

After further discussion the question was called.

Motion Carried.

Mr. Bensted then stated that there should be a resolution with respect to the items that are in the task force, that the various Provincial Departments be requested to approve of the setting up of a proposed task force and to propose terms of reference with the appointment of responsible staff members to such task force and also that the Departments of Municipal Affairs and Environment be requested to provide funding that may be necessary to get the task force off the ground.

It was moved by Councillor Cosman and seconded by Councillor Sutherland:

"THAT the various Provincial Departments be requested to approve of the setting up of a proposed task force and to propose terms of reference with the appointment of responsible staff members to such task force and also that the Departments of Municipal Affairs and Environment be requested to provide funding that may be necessary to get the task force off the ground."
Motion Carried.

It was moved by Councillor LaChance and seconded by Councillor McCabe:

"THAT the Report of the Municipal School Board be received." Motion Carried.

Councillor LaChance said though the Report is very brief it outlines what the direction is with respect to redistribution of students in the suburban Dartmouth system. Other than that, the Board has been pretty busy with CUPE negotiations as well as Nova Scotia Teachers' Union negotiations. The new committee structure has been working very well but it has been taking up a lot of time under the various negotiating groups. The budget is being prepared and should be on time for perusal of Finance and Executive Committee and will be coming to Council in due course. The dates for March break are from the 12th of March until the 18th inclusive. At the December Session of Council the portion of shareable cost of two portables for Bell Park was approved and it was requested that the Province move on their portion. Nothing has been heard back from them yet and time is drawing late. Councillor LaChance requested that Council send a letter to the Cabinet asking them to move on this matter.

Councillor Fader asked if the budget was increasing by about four to five million and Councillor LaChance replied in the affirmative. He stated that it is primarily due to the non-shareable items that are included in this year's requirements throughout the system but a detailed report will be coming.

It was moved by Councillor LaChance and seconded by Deputy Warden Gaetz:

"THAT Council direct a letter to the Minister of Education, Terry Donahoe, asking them to deal with the request for funding of the two portables for the Bell Park Academic Centre at their earliest opportunity."
Motion Carried.

Councillor Deveaux noted that the shortage of school books for children had been brought to his attention by the principal of his school and Councillor Deveaux's understanding that the cost sharing from the Province towards school books prior to the following term is based on the past year's school enrolment. He asked if it could be changed to a projected figure because if additional children are enrolled there are not enough books.

Councillor LaChance replied that these figures are laid down by the Department of Education.

It was moved by Councillor Deveaux and seconded by Councillor Smith:

"THAT Council request the Municipal School Board to approach the Provincial Department of Education with respect to the present formula for the funding of text books in the school system in Halifax County." Motion Carried.

Councillor Wiseman advised that she had been advised that their budget for books was eleven twenty-five per student in the school and Councillor Lawrence said that her understanding is that the per capita figure gives them their total amount of money to deal with and it's divided up subsystem by subsystem, so there are four subsystems and there is some discretion within the subsystem for the supervisor to make allocations, weighing them according to the expense of the texts and the books required. Elementary schoolbooks can be less expensive than the cost of some of the texts needed in high school. That might account for the figures. Councillor Lichter noted that throughout the Province there is a

declining enrolment pattern if you project five years. If such a letter is written to the Department of Education they might be very happy to oblige because it might mean a lot less money in a year or two years' time than presently.

It was moved by Councillor Deveaux and seconded by Councillor Sutherland:

"THAT the Municipal School Board be requested to provide Council with a detailed report with respect to the French Teaching program and the projected costs involved and the number of teachers hired from out of Province."
Motion Carried.

Councillor Lawrence inquired if the French teaching in Grades 4, 5 and 6 is what Councillor Deveaux was referring to and how would he define teachers from out of Province. Councillor Deveaux replied that he would define those teachers as persons who were not born in Nova Scotia. Councillor LaChance stated that 18 French teachers were hired this year, 4 directly from out of Province.

Councillor Fader inquired of Councillor LaChance if there was any indication as to what has taken place with the Hillside Park School. This school has been on the program since 1971 and if there had been anything released on this. Councillor LaChance replied that they had met with the Area Supervisor, Mrs. Jane McGregor from Sackville, along with the Assistant Superintendent of Schools to discuss the question of future needs in the Sackville area and it involves shuffling of students within the entire subsection so that until it is worked out a definite answer cannot be given on which students are going where. That involves the whole question of what the priorities are in terms of the new school in Q Section and in terms of the addition to Hillside Park. In the past there have been discussions with the School Capital Building Committee in terms of which choice it will make with respect to the addition of Hillside Park or the new school in Q Section. The Board does not take the view that it's a question of which one is the priority. The school in Q Section has been released by the Government from the moratorium and is currently on the drawing board. The question of whether or not Hillside Park is going to be renovated or extended is still being discussed but the figures demonstrate that there is a need in that area for extra facilities. Just which way they're going is not clear.

Councillor Fader said that some time ago ex-Councillor Malcolm MacKay spoke in support of a school in Q Section and at that time the priority was the Hillside Park School. Now it looks like the school in Q Section was released. He wondered if this was a recommendation of the new School Board.

Councillor LaChance replied that it has always been their position that the school in Q Section is a priority along with several others. The school was released from moratorium and they are pursuing construction of that building. However, they are saying that both of them are priorities and that they need both.

Councillor Lawrence pointed out that of all the schools on the list before the Provincial Department of Education for release from moratorium last year only the Q Section had been released. Permission was received for the building of only one school. A rumour was heard that the addition to the school in Councillor Williams' district and the Hillside addition were going to be released by the moratorium but nothing has happened. The list has not been altered.

Councillor Fader asked Councillor LaChance if they were asking Education to approve Bell Park and two portables and Councillor LaChance replied that he was making a report which came from the School Board that there was an overcrowding situation at the Bell Park Academic Centre and that it required them to look at the options. One was to keep the Partridge River School open, which they felt would not be a wise option. The other would be to take the overflow students and send them to Lakeview, which was also ruled out. The two final alternatives were looked at and they were to recommend an addition to the Bell Park Academic Centre or to look at the question of portables. The projections indicate that the enrolments by 1984 at Bell Park Academic Centre will be greatly reduced and therefore it does not justify a request for an addition to that school. The only option left is to add portables to the school. The word coming back from the trustees and the community was that they were greatly opposed to having portables at the school if they were in the form of the portables that they were used to. Given the fact that our Municipality needs new portables anyway, it was requested that new portables be purchased and installed at Bell Park for the period of time that the overflow problem would exist. A resolution came forward from Council in December to request the Provincial Government to undertake cost sharing on these portables. The decision is still in Cabinet and in the meantime students are occupying the Resource Centre at Bell Park with a divider between the two, which is very inadequate, and the parents are concerned, so we're asking that a letter go forward to the Minister asking for the release of those funds from Cabinet.

Mr. Bensted said that he understands the Department of Education has supported the application but that it's still in Cabinet for release from Moratorium and that Hillside Park would be in the same situation.

It was moved by Councillor Fader and seconded by Councillor Walker:

"THAT a letter be written to the Minister of Education requesting immediate release of

the Capital Projects re Brookside Elementary School and Hillside Park Elementary School at Sackville."
Motion Carried.

Councillor Margeson thanked the Chairman and members of the School Board for their assistance in trying to get a piece of land alongside the Beaverbank - Kinsac Consolidated School and he would like to know what progress, if any, has been made.

Councillor LaChance replied that the first step has been to determine whether that parcel of land would be desirable for the School Board to acquire and at the last meeting of the Property Conveyance and Maintenance Committee it was determined that it would be and letters have gone forward to the Department to see if cost sharing could be acquired on the purchase of that land.

It was moved by Deputy Warden Gaetz and seconded by Councillor MacKenzie:

"THAT the Report of the School Capital Program Committee be approved." Motion Carried.

Councillor Cosman asked when the Harry Giles Elementary School in Forest Hills was named Harry Giles Elementary School as she didn't remember it.

Mr. Bensted replied that it was around the middle of 1978.

Councillor Lawrence asked the Chairman why the Committee is calling for proposals for the school bus garages, why they are not calling for Tenders.

Mr. Bensted stated that it's just terminology. Councillor Lawrence asked also where they are with negotiations with the purchase of land for the elementary school in Tantallon and Mr. Bensted stated that they are still in reasonable negotiation and that there had been some response. Councillor Lawrence also asked what deficiencies are outstanding on the Sir John A. MacDonald elevator and the Tantallon Junior High ramp and was advised that they are minor touch-up things.

Councillor Tople asked if the name change on the Gordon Bell High School is in effect or is being worked on as the name is still Forest Hills on the building. Deputy Warden Gaetz replied that the change of name is in process but the School Board asked that the name be left on until the end of this term due to the fact that they have stationery still and would like to get as much used as possible. Councillor Tople suggested that in the Report the schools should be more clearly identified as being in Cole Harbour.

Councillor MacKenzie inquired about when the school bus garage would be completed in Musquodoboit Harbour and Deputy Warden Gaetz replied that a larger bay had been requested than normal. One was originally to be 16 feet wide and it was requested that it be 30. A compromise has been reached for 23 feet and now quotations are to be asked for these to be built.

It was moved by Councillor Fader and seconded by Councillor Walker:

"THAT Council adjourn to 6 o'clock."
Motion Carried.

Mr. Bensted summarized the Report of the Finance and Executive Committee.

It was moved by Councillor Walker and seconded by Councillor MacKenzie:

"THAT the Report of the Finance and Executive Committee be approved." Motion Carried.

Councillor Lawrence asked if expenses would be paid for any member of Council who would sit as a member of the United Way Board and Mr. Bensted replied that the interpretation of the United Way is that whoever sits on this Board sits on it on a voluntary basis and puts voluntary effort into it.

Councillor Tople asked whether the Finance Committee is looking at the office space other than the expansion of the Municipal building or are they only looking at the possibility of raising the roof on the building. Councillor Fader replied that they are, that the Clerk has been holding meetings with Department Heads and there should be something at the next session of Council. They are looking at expansion of this facility and looking at some alternate renovations until something is concrete. Councillor Tople said that is with space required but asked if they are looking at office space across the street. Councillor Fader replied in the negative and Councillor Tople suggested that it would be a proper approach to take today with the amount of office space that is vacant and available. Considerable discussion then took place between Councillors. Councillor Walker suggested that as Council does not yet know what additional facilities are required nothing can be done insofar as looking at office space outside the building. Councillor Benjamin said he didn't feel this need be discussed at the moment. This is an interim progress report. The action that the Finance Committee are taking is that first they will establish what the problem is and the extent of that problem. Mr. Bensted will be meeting with the heads of the Departments and establishing what the office space requirement will be in the future. There's a lot of changes which could take place so it is unfair to criticize anything taken to date. All the Finance Committee has done it to find out what the cost would be to renovate the present building. Further discussion took place by Councillors.

Councillor Cosman digressed from the business of the addition to the building to inquire as to what progress has been made in setting this years' tax rate. There was a query from the Industrial Committee to the Finance and Executive Committee about whether or not the members of Halifax County's Industrial Commission should be paid a stipend for when they meet and, not having had the minutes of the Finance and Executive Committee to refer to, other than this set for February 5th, there's a lapse between July and February which is missing, Councillor Cosman wondered if this had been brought to the attention of the Committee and if they had made a decision on it.

Mr. Bensted replied that with regards to members of the Industrial Commission that this has not gone to Committee as yet, it won't be going until after the next regular meeting.

It was moved by Councillor Topple and seconded by Councillor Cosman:

"THAT item #7 be dealt with as a separate item."
Motion Carried.

It was moved by Councillor LaChance and seconded by Councillor Eisenhauer:

"THAT item #9 be dealt with as a separate item."
Motion Carried.

Councillor Lawrence commended the Finance Committee's Report on giving Council the revenue and expenditure statement, even though it is a preliminary statement.

The motion that the report of the Finance and Executive Committee be approved excluding items #7 and #9 was put before Council.

Motion Carried.

It was moved by Councillor Topple and seconded by Councillor Deveaux:

"THAT the matter of increasing the Building Inspection Fees be referred back to the Finance and Executive Committee for a report at the March Session of Council."
(Tie vote) Motion Defeated.

Councillor Sutherland noted that Mr. Hefler came forward to the Finance and Executive Committee and said that the application fee that was presently being charged was not covering the administrative costs of the permit itself and Mr. Bensted stated that in the Revenue and Expenditure Statement the inspection last year cost \$252,448.00. Revenue from fees last year is in the order of \$50,000.00. These fees were established back in 1960 or 1961 when a permanent Building Inspection Department was set up and the fees at that time probably came reasonably close to covering the cost of the Department at that time.

Councillor Lawrence asked if the basic premise is that the whole cost of the operation of the Building Inspection Department is to be covered by the fees and Mr. Bensted replied that this increase would not cover the total cost but would net a revenue of around \$150,000.00 based on permits issued last year.

There was a great deal more discussion between Councillors regarding the increase in building permit fees and Councillor Eisenhauer suggested that if there is an increase in fees there should also be an increase in the level of service to the applicants.

Warden Settle asked if Councillors were ready for the question and refreshed Council's memory that the motion is to refer the matter of building inspection fees back to Finance and Executive Committee for a report at next Council meeting.

Motion Defeated.

Councillor Lawrence commented that if there are any other situations where Council has been asleep at the switch for 18 years in terms of the realistic fees they're charging. She hoped that Finance will bring them forward fairly promptly so the same arbitrary things can be done with all fees this year.

It was moved by Councillor Walker and seconded by Councillor Fader:

"THAT the Municipal Solicitor be instructed to prepare an amendment to the Building By-Law changing the building permit fees as recommended by the Chief Building Inspector."
Motion Carried.

Councillor Cosman stated that she did not agree with the increase. If the jump was to be made perhaps it should be for ten percent per year. Over 18 years it would be a hundred and eighty percent. The only problem is if the service being given was also increased it would be great but there have been houses which have passed all the building inspection tests where the insulation is not laid in the ceiling and two people have called about houses in Bedford with building deficiencies in them which the Building Inspection Department did not pick up. The houses were bought and the homeowner must make the repairs and perhaps fight a court case with the builder who didn't build the house properly, which comes back to the point of why didn't the inspection pick this up. The level of service is not being improved and Councillor Cosman stated she is not prepared to support the motion.

Section 9 of the Finance and Executive Committee Report was brought forward by Councillor LaChance and noted that this is the second report of the Committee and the Committee is going to meet again with the architect which means that they have something specific in mind. There is a good argument for having the Finance and Executive Committee, at this point in time, to bring back as part of that report the variables involved in renting space either across the road or in some other facility along with a projection about what the needs will be ten years down the road in the event of various communities leaving the Municipality of the County of Halifax - what will be the needs in terms of space required.

It was moved by Councillor LaChance and seconded by Councillor Topple:

"THAT Finance and Executive Committee be directed by Council to consider the possibility of acquiring of space outside of this building as part of the overall consideration." Motion Defeated.

Councillor Eisenhower stated that his concern is that there is a need today, especially in the area of recreation, that when Summer comes and programs start they're going to be short of staff. They have asked the Finance and Executive to acquire additional space for the upcoming Summer. Going back to the report and looking at the additional space that is required, as a building permit will have to be acquired and zoning will have to be recognized, it's going to be a long way away before they can move in. Therefore a two to three year lease is certainly not out of the question. He also questioned whether it may not be illegal to crowd the number of people into these offices as they now are crowded.

Councillor Sutherland suggested that Council vote seriously on the item and give the Finance and Executive some direction as to how they want them to go right now.

Councillor Lawrence replied that Council should not be expected to vote yes, /no tonight on doing something to this building or looking for rental space. The whole point of what has been said for months is let's get all the costs so that Council has some idea of what they're getting into.

Councillor Sutherland stated that this is exactly what the Committee has in mind.

After much further discussion the vote was taken.

Motion Defeated.

It was moved by Councillor MacKenzie and seconded by Councillor Sutherland:

"THAT Council approve a By-Law with respect to Council Sessions based on the resolutions by Council at the last Session of Council, that there will be two Council Sessions per month, the first and third Tuesdays of each month, that they will be at 2 o'clock, the exception to that will be that if either the first or third Tuesday falls on a holiday that the Session will be on the following Tuesday and in October in election year, that there will be only one session that month, that will be the first Tuesday of the month." Motion Carried.

It was moved by Councillor Sutherland and seconded by Councillor Eisenhower:

"THAT the following resolution be forwarded to the Federation of Canadian Municipalities: -
WHEREAS Municipalities should encourage developments on the grounds of exercising their basic social responsibility to provide affordable housing within their jurisdiction

WHEREAS there has been a demonstrated need established by
(a) younger couple with families for more affordable living accommodations accompanied by lower maintenance costs
(b) older couples who have owned and sold their homes but still wish to retain ownership of a less costly home

WHEREAS all home acquisition programs have been extended to the new Z.240 single-wide mobile homes

WHEREAS a special mortgage fund comparable to conventional mortgages should be established by the Federal Government to facilitate the purchase of lots for owners of the old Z.240 single-wide mobile homes

BE IT RESOLVED

THAT the Municipalities encourage the development of mobile home subdivisions for single lot ownership, priority to be given to locating such subdivisions within existing communities;

THAT the Municipalities adopt a uniform criteria list to form the base of control for these subdivisions;

THAT the uniform criteria list include, but not be limited to the following: -

- minimum lot size

- street width
- surface treatment of streets
- setbacks
- municipal services (i.e. water, sewer, street lighting, storm sewers)
- water and sewer facilities on unserviced lots
- gross population density;

THAT existing rental parks be upgraded where practicable to improve their aesthetics to as near this uniform criteria list as possible."
Motion Carried.

It was moved by Councillor Poirier and seconded by Councillor Benjamin:

"THAT a resolution be sent to the Federation of Canadian Municipalities which reads as follows: -

WHEREAS C M H C has discontinued its funding for water and sewer projects

WHEREAS the Community Services grant is inadequate, inconsistent and does not offer a forgiveness clause

WHEREAS the cost of municipal services are becoming beyond the reach of the average citizen

BE IT RESOLVED

THAT the Federal Government be urged to review this funding and offer a more dependable and adequate form of financing to help make the costs of these projects more feasible to the average citizen."
Motion Carried.

It was moved by Councillor Cosman and seconded by Councillor Walker:

"THAT the Union of Nova Scotia Municipalities be requested to support legislation giving Municipal Units the authority to issue tickets under the Dog By-Law and authority to collect payment of such tickets."
Motion Carried.

It was moved by Councillor Eisenhauer and seconded by Councillor MacKenzie:

"THAT the proposed budgets for the Senior Citizens Projects in Lower Sackville, Eastern Passage, Sheet Harbour be approved as submitted by the Nova Scotia Housing Commission."
Motion Carried.

It was moved by Councillor Eisenhauer and seconded by Councillor McCabe"

"THAT the Temporary Borrowing Resolution as proposed by the Department of Municipal Affairs in the amount of seven million nine hundred thousand dollars be approved as follows: -

\$7,900,000		for Schools - 79-1
- \$4,000,000	- Bedford Waverley High School	
2,500,000	- Ross Road Junior High	
1,200,000	- Beaverbank - Kinsac Elementary	
100,000	- Tantallon Junior High Ramp	
100,000	- Sir John A. MacDonald Elevator	

WHEREAS the Municipal Affairs Act provides that the Municipality of the County of Halifax may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of erecting, acquiring, purchasing, altering, extending, adding to, improving, furnishing or equipping buildings for public schools; namely for the provision of various schools in the Municipality;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the Municipality of the County of

Halifax borrow a sum or sums not exceeding Seven Million Nine Hundred Thousand Dollars (\$7,900,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT this sum be borrowed by the issue and sale of debentures of the Municipality to such an amount as the Municipal Council deems necessary;

THAT the issue of the debentures be postponed pursuant to Section 147 of the Municipal Act and that the Municipality borrow from time to time a sum or sums not exceeding Seven Million Nine Hundred Thousand Dollars (\$7,900,000) in total from the Royal Bank of Canada in Halifax;

THAT this sum borrowed from the Bank for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid to the Bank at a rate to be agreed upon; and

THAT the amount borrowed be repaid to the Bank from the proceeds of the debentures when sold."

Motion Carried.

It was moved by Councillor Fader and seconded by Deputy Warden Gaetz:

"THAT the banking resolution in the amount eight million dollars re general operating account be approved as follows: -

WHEREAS it is necessary to borrow the sum of \$8,000,000 from the Royal Bank of Canada to meet the now current expenditure of the Corporation until such time as the taxes to be levied therefor can be collected.

BE IT THEREFORE RESOLVED by the Municipal Council of the Corporation as follows:

1. THAT the Warden with the Treasurer of the Corporation, be and they are hereby authorized under the seal of the Corporation to borrow from the Royal Bank of Canada the sum of Eight Million Dollars as the same may be required from time to time to meet the now current expenditure of the Corporation which said expenditure has been duly authorized by Council.
 2. THAT the said Warden with the Treasurer aforesaid, be, and they are hereby authorized to pay or allow to the said bank interest on the said sum of Eight Million Dollars at the rate of 12 per cent per annum, which may be paid or allowed in advance by way of discount or otherwise howsoever as they may deem best.
 3. THAT the said sum of \$8,000,000 so to be borrowed shall be made payable on or before the 31st day of January next; and the promissory note or notes of the Corporation, if any given therefor, if made payable before the said 31st day of January may be renewed by the said Warden and Treasurer from time to time, but no renewal thereof shall fall due later than the said 31st day of January next.
 4. THAT the promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Warden and Treasurer of the Corporation be given from time to time as required, in security for the amounts borrowed from time to time under this resolution.
 5. THAT the giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only of indebtedness."
- Motion Carried.

It was moved by Councillor Fader and seconded by Deputy Warden Gaetz:

"THAT Councillor LaChance be appointed as representative to the Board of Directors of the United Way of Halifax - Dartmouth Metro area."

Motion Carried.

It was moved by Councillor Walker and seconded by Councillor Fader:

"THAT a tax adjustment for 1978 re William A. Ferguson in the amount of \$621.24 be approved."

Motion Carried.

Councillor Lawrence asked if that is not a useful short circuit for other people who don't wish to appeal, if there are very limited terms under which you can apply for a tax adjustment.

Mr. Bensted replied that it has to be a gross error. In this particular case it was a gross error in that the assessor assessed it as a fully completed dwelling when actually the property was probably not more than fifty per cent completed. In this particular case there was a transfer of the property and the previous owner received the assessment notice and the present owner did not. He was not aware

of the assessment until after the date for filing the appeal had passed so the avenue for going through the appeal court in the normal manner was not there.

Councillor Cosman requested the Report of the Nominating Committee be passed out.

It was moved by Councillor Cosman and seconded by Councillor Fader:

"THAT the Report of the Nominating Committee be adopted."
Motion Carried.

Councillor Lawrence reminded Council that Councillor Fader had suggested that the Redistribution Committee should meet fairly shortly to be considering the possibility of boundary changes and could members of Council be informed when that meeting is set as some Councillors may wish to make a submission to it.

Mr. Bensted noted that the first meeting is usually an orientation meeting but there was no reason why Councillors could not be notified of subsequent meetings and perhaps Councillors would like to make submissions in writing.

Mr. Bensted introduced the subject of the appointment of dog license issuers.

It was moved by Deputy Warden Gaetz and seconded by Councillor Poirier:

"THAT the attached names re dog licensers be approved:

James Leadon of Timberlea
Harley Mills of Musquodoboit Harbour
John Murray
Ross Bonin."

Motion Carried.

Councillor MacKenzie inquired whether a list of officers from last year could be made available to the Council members and Mr. Bensted replied that they would be going out to all Councillors the following week.

Councillor Lawrence discussed the problem of the Beechville Interchange. The signs are totally confusing and many people are making U turns in intersections simply because they realize, too late, they are going the wrong way. Before tourists arrive something must be done so they will know which way to go to get to Halifax or Peggy's Cove or Hubbards or wherever it is they wish to go.

It was moved by Councillor Lawrence and seconded by Councillor Poirier:

"THAT Council write a letter to the Minister of Highways with a copy to the Premier explaining some of the difficulties with the Beechville - Lakeside interchange and asking for immediate action." Motion Carried.

It was moved by Councillor Cosman and seconded by Councillor Deveaux:

"THAT a letter be written to the Minister of Municipal Affairs requesting funding for the purpose of having a plebiscite in Bedford District #17 re store hours on Sunday."
Motion Carried.

Councillor Benjamin brought forward the problem of snowmobiles and automobiles on lakes creating considerable hazard to people who are using the lakes for recreational skating et cetera.

It was moved by Councillor Benjamin and seconded by Councillor Cosman:

"THAT the Solicitor be instructed to prepare an amendment to the Nuisance By-Law with respect to control of vehicles on the ice on lakes."
(Out of order)

Solicitor Cragg commented on this subject and quoted from the Motor Vehicle Act, Section 274(1). He stated that Council of any Municipality shall not have power to make any By-Laws, Rules, Regulations or Ordinance in relation to the regulation of vehicles. He suggested that Council should write the Department and ask for guidance or suggest that they give Council the power to do it.

There was a good deal of discussion regarding the problem caused by motor vehicles and whether snowmobiles should be included with the request. It was suggested by Councillor Lawrence that perhaps it should be requested certain lakes could be declared off-bounds to motor vehicles.

The motion was amended to read:

"THAT a letter be written to the Deputy Minister of the Attorney General's Department and to the Union of Nova Scotia Municipalities that the problem of automobiles on ice on the lakes is a dangerous matter."
Motion Carried.

Councillor Deveaux stated that several years ago there was a line drawn on maps showing where the serviceable area ended or started. Since that time there are a number of people who have come before the Public Service Committee to request extending these services. For instance, they might be 50 or 100 feet from where the sewer line ends. Up until a week or so ago one person was given permission. When the plan was originally formulated, or the serviceable area line was laid on the map, nobody went out and actually looked at the spot where the line was drawn. In his area in Cole Harbour the serviceable area line is drawn in the middle of a hill and to him it makes no common sense. Common sense dictates that the line go at least to the top of the hill instead of going just halfway.

It was moved by Councillor Deveaux and seconded by Deputy Warden Gaetz:

"THAT the serviceable area boundaries be reviewed by the Public Works Committee and some recommendation be brought forward to Council."
Motion Carried.

It was moved by Councillor Cosman and seconded by Councillor Eisenhauer:

"THAT Council again request the Provincial Minister of Environment to establish the Sackville River Management Board similar to the Shubenacadie River Management Board and to include representation on the Board from this Municipality."
Motion Carried.

Councillor Benjamin suggested that if there could be voluntary appointments from various area representatives along the river course there could be probably a stronger watchdog approach. Councillor Cosman replied that if it is going to take money she would prefer Provincial bucks be provided rather than Municipal bucks and if they are going to do the funding it would be up to them to appoint the Board but it is important to have someone from the Municipality on it. The main thing is to get them moving on it.

Councillor Benjamin spoke of the Metropolitan Authority under which is the Transit Commission. It is presumed that Commission is responsible to the Metropolitan Authority. He is not quite happy with the structure of the Transit Commission and has not heard the report of the progress from any representatives from Council or read it in the paper in great detail other than the projects that are going forth. It is hoped that perhaps Council can have some input to advise the Metro Authority on how we see this Commission working and how the operation of our monies through the grant that they will be giving to the Metropolitan Authority will filter down and probably get glowing reports, statistics and all the rest. The structure is not really the best structure and the Transit should be a corporate body working under a defined budget and excluded from individual political pressures that will be brought to bear upon the transit system that must encompass the three Municipalities of Halifax, Dartmouth and the County. Councillor Benjamin would like to see it streamlined and report back that it's working satisfactorily. The buses are changing their design and the runs are starting next week to encompass the Sackville area but when the bill arrives Council has no direct say as to how the monies will be spent or the amount of monies and where the routes will go and that is not true democracy working. Councillor Benjamin stated that another immediate problem in his own area goes back to a short while ago when MAPC was in operation and was asked to do a study on the extension of the Dartmouth bus line to include the four miles from Dartmouth to include Waverley and then on to Bedford.

It was moved by Councillor Benjamin and seconded by Councillor Topple:

"THAT a letter go forward to the Metropolitan Authority requesting that a costing report be carried out re buses from Dartmouth to Sackville to serve the Waverley area from the Dartmouth service and also the costing of servicing the Cow Bay area from the Cole Harbour and Eastern Passage service."
Motion Carried.

The matter of transit and respective routes was discussed by Councillors at length. Councillor Topple felt perhaps they have been led down the garden path by MAPC in some respects and Mr. Bensted understands that at the present time they are planning to get into the Bedford - Sackville demonstration, the Cole Harbour, Forest Hills, Colby Village, Eastern Passage existing routes and the Herring Cove existing routes. These are the ones they will be getting off the ground now. Perhaps in six months' time they will be in a position to start looking at expanding these routes and adding additional routes.

Councillor Wiseman introduced the subject of Municipal Incentives Grants. During her election campaign she found that sidewalks were of prime interest to the citizens of Sackville. On looking for financing for sidewalks it was found that the Provincial Government, or Department of Highways would cost share to an extent of 77.28%. On looking for more money to help out she came upon the Municipal Incentives Grants and found that there is an approximate total of \$500,000 from the Municipal Incentives Grants in a fund for the County. The problem has been that this money has been allocated to the County on the basis of a thousand dollars for every housing start and the guidelines for the spending of this money are very vague and broad. She contacted Mr. Watters of CMHC, the Director for this project, and asked him for further guidelines on spending this money and he said for the most part, in the Province of Nova Scotia, the Municipalities have used this money for servicing developed areas and this servicing has been in the way of paving streets and putting in sidewalks.

It was moved by Councillor Wiseman and seconded by Councillor Cosman:

"THAT the money awarded to the Municipality from CMHC through the Municipal Incentives

Grant be allocated to the districts on a per capita basis."
(Referred to the Finance and Executive Committee)

Mr. Bensted explained that these are grants to the Municipality as a Municipality and not to any individual district. The grants were paid to the Municipality based on one thousand dollars per housing unit on units which met certain criteria which the CMHC described as medium density rather than low density or high density. The terms of reference for expending of this money are rather broad except that it must be for capital purposes and it must be approved by the Minister of Municipal Affairs. The figure there is roughly 500,000 dollars and Council has not dealt with these funds and have not come to any decision as to how the funds should be spent. Council should look at this seriously before they decide how these funds should be expended. By and large these dollars came from Bedford - Sackville and Cole Harbour - Westphal - Eastern Passage areas. Council should perhaps have a serious look that in both of these serviced areas there will have to be additional servicing to meet the present day demand in those areas.

Councillor Cosman stated that she doesn't support the idea of doing it on a per capita basis per se. The districts that generated the money through the medium incentive grants should be the districts that benefit from the money flowing back in. When you build apartment buildings and medium density housing you create problems of supply and demand on schools, sewers, available recreation and so forth and when you do this and don't have the money available to funnel back into that community you create economic ghettos. The big push should be for amenities, recreation facilities, sidewalks if there seems a priority in that community. That money is sitting gathering interest and she would like to see that money used in the districts where it was generated.

Councillor Fader commended Councillor Wiseman for bringing this item to the attention of Council. He feels that people in Sackville would appreciate sidewalks.

Mr. Bensted advised the number of dollars which came from each district can be established and Council can recommend that the money be spent in specific areas. These dollars belong to the Municipality as a whole and Council as a whole is the body that has the say how these dollars are to be spent.

Councillor Lawrence asked if there had not been a couple of 'ad hoc' requests already subtracted from the original 500,000 dollars and Mr. Bensted advised that two, in the total amount of 29,000 dollars, had been allocated.

It was moved by Councillor Fader and seconded by Deputy Warden Gaetz:

"THAT this be referred to Finance and Executive Committee."
Motion Carried.

It was moved by Councillor Deveaux and seconded by Councillor LaChance:

"THAT the motion, re office space requirements defeated by a tie vote, of Councillor LaChance and Councillor Topple be reconsidered."
Motion Defeated.

Solicitor Cragg explained the mechanics on a motion of reconsideration, that there can be no discussion and the vote must be unanimous.

Councillors LaChance and Deveaux argued that as a motion had been passed in December that Finance and Executive Committee examine the difference in cost between renting additional office space and an addition to the existing building that such committee should do as the Council instructed.

It was moved by Councillor Fader and seconded by Councillor Walker:

"THAT Council adjourn."
Motion Carried.

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M A R C H C O U N C I L S E S S I O N

Tuesday, March 20, April 17, May 15 and June 12, 1979

SPECIAL COUNCIL SESSIONS March 9, March 19 and March 23, 1979

THE MUNICIPALITY OF THE COUNTY OF HALIFAX
MINUTES OF SPECIAL SESSION OF COUNCIL
FRIDAY, MARCH 9th., 1979

Council convened at 11:30 a.m. with Warden Ira Settle in the Chair.

Council opened with the Lord's Prayer and the Municipal Clerk called the roll.

It was moved by Councillor MacKenzie and seconded by Councillor Poirier:

"THAT the Municipal Clerk, Mr. Bensted, act as recording secretary for this Session."
Motion Carried.

Warden Settle advised Council that this Special Session of Council had been called for the purpose of receiving and acting on a special report from the Finance and Executive Committee re filling the position of Municipal Clerk and Treasurer.

It was moved by Councillor Fader and seconded by Councillor Benjamin:

"THAT Council go into Committee of the Whole in camera."
Motion Carried.

Council came back into open session at 12:10 p.m. on motion of Councillor McCabe and Councillor Deveaux.

It was moved by Councillor Fader and seconded by Councillor Walker:

"THAT Council approve the report of the Finance and Executive Committee with respect to filling the position of Municipal Clerk and Treasurer."
Motion Carried.

It was moved by Councillor Fader and seconded by Councillor MacKenzie:

"THAT Council approve the appointment of Mr. Kenneth R. Meech as Municipal Clerk and Treasurer effective May 15, 1979 as per the terms of reference contained in the Finance and Executive Committee report recommending his appointment."
Motion Carried.

It was moved by Councillor Fader and seconded by Councillor Benjamin:

"THAT Council adjourn."
Motion Carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING

Monday, March 19th., 1979

Present Were:	Councillor Baker	Councillor Lichter	Mr. Kelly
	Councillor Benjamin	Councillor MacKenzie	Mr. Gough
	Councillor Cosman	Councillor Margeson	Mr. Cragg
	Councillor Deveaux	Councillor McCabe	Ms. Smith
	Councillor Eisenhauer	Councillor Poirier	
	Councillor Fader	Warden Settle	
	Deputy Warden Gaetz	Councillor Smith	
	Councillor Lachance	Councillor Sutherland	
	Councillor Lawrence	Councillor Wiseman	

Warden Settle opened the meeting at 7:00 p.m. with the Lord's Prayer followed by Mr. Kelly calling the roll.

It was moved by Councillor MacKenzie and seconded by Councillor Poirier:

"THAT Mrs. Estelle Hiltz be appointed as recording secretary."
Motion Carried.

Warden Settle explained that this Public Hearing was called to discuss four rezoning applications and he then informed the public present of the procedure involved with public hearings.

REZONING APPLICATION No. 21-78 - Hammonds Plains request to zone and rezone lands on the Hammonds Plains Road, Killarney Drive and Smith's Road at Hammonds Plains from G (General Building Zone) and an unzoned status to R-1 (Residential Single Family Dwelling Zone) and R-2 (Residential Two Family Dwelling Zone). District 17.

Mr. Gough advised Council that the application has been advertised as prescribed under the terms of the Planning Act and there's been no written objections or any other communication regarding the proposed application. He made note that on the cover of the report there was an addendum which was attached to the application dated February 20, 1979 and that addendum - although the staff report recommends that all the lands be R-1 - the addendum splits it and says that some should be R-1 and some R-2. Mr. Gough then showed Council the lands on the projector. The property in question is located by the interchange at the corner of the Bicentennial Drive and the Hammonds Plains Road. The area in question contains approximately 52 acres. The people in the area had asked for zoning, in the form of a petition, from R-1 and R-2 uses and the addendum has shown the present uses for the area. The Public Works Department had suggested that the R-1 zoning be the one granted because they felt that if R-2 zoning was granted it could possibly lead to problems at a later date in relation to the capacity of the sewer.

Warden Settle called for anyone who wished to speak in favour of this rezoning from General Zoning to R-1 and R-2 to come down to the microphone. There was no response. Warden Settle then called for any speaker against the proposed rezoning and there was no response.

Councillor Lachance asked that Mr. Gough elaborate on the question of the sewer capability.

Mr. Gough stated that at the present time there isn't any sewer service throughout the entire area. The only area that is serviced would be Killarney Drive and a section of the Hammonds Plains Road leading back to Bedford. There's some land that is not serviced at the present time although in future it could possibly be serviced and the Public Works Department, in their staff report, have expressed their concern with this and they felt if it was all zoned perhaps R-2 that it might very well have implications if somebody was to look at it and say well, you're going to have sufficient sewer capacity there for R-2 uses.

Warden Settle reminded Mr. Gough that this is a mixture of R-1 and R-2 and Mr. Gough stated that the actual density criterion for the sewer would be in the vicinity of 18 to 20 people per acre.

Councillor Fader noted mobile homes in the area and wondered if people are aware of what happens to those particular lots with mobile homes on them if this zoning goes through. He inquired how many mobile homes would be affected and was advised that there were three with one vacant. If this rezoning is approved then the mobiles become nonconforming and Councillor Fader wondered if the people were aware of what would happen.

Mr. Gough stated that they would continue there as nonconforming uses.

Councillor Fader wondered what would happen if one burned, would they be allowed to move another one in. Councillor Cosman replied that in such a case a person could buy a double size mobile home and still legally put it on that lot. As long as it meets the minimum square footage of an R-1 zone a mobile home can be put on that lot.

Councillor Smith suggested that this would give no protection to someone who wouldn't want to go to the expense of getting a larger mobile home if a smaller one would be sufficient to meet their needs.

Councillor Lichter stated that he was concerned for a person who could not afford to replace it with other than a similar sized mobile home. He said he would like to see these people protected.

Councillor Benjamin wondered how they could change the zoning of a power line. That the power line should be removed by the application because they are trying to zone something that is controlled by a higher level of government.

Mr. Cragg stated that an easement could certainly be rezoned.

Councillor Fader stated that he still was not happy with the mobile home situation and Mr. Cragg replied that they could always bring in their own zoning application if their mobile home burned down.

It was moved by Councillor Fader and seconded by Councillor Lichter:

"THAT this matter be deferred until the April 17th session of Council."
Motion Defeated.

Councillor Cosman stated that the lady who took the original petition around was present but did not choose to speak on it. The Zoning By-Law was taken around door to door and explained and this is why the two choices of R-1 and R-2. The petition to go this zoning in the first place was to protect the quality of the residential neighbourhood and the fact remains that deferring it will solve nothing and the two trailers would become nonconforming and, in the event that they have a fire they have no choice either to reapply to have a spot rezoning or go to a mobile that is 950 square feet which is allowable now under our Zoning By-Law in a R-1 or a R-2 zone. This is according to our building inspector because it happened before in Bedford four months ago and they chose to go to the mobile that was 950 square feet. They are thus left two options. She stated she did not see any sense in deferring it. A number of people in the gallery came out purposely to hear this application and they had waited six or seven months already.

Councillor Lachance stated that it was duly advertised and that hasn't been challenged and that all parties have had an opportunity to read the advertisements and were approached in person by community residents for the purpose of signing a petition and to postpone it now on the basis of the probability of the people in a trailer not wanting to go along with it is a little bit foolish at this point. They are talking two trailers in that area and in excess of 35 homes with the possibility of twice that many. There is no justification at this point in holding it over another 30 days.

Councillor Fader asked if the people in the mobile homes had been contacted and Mr. Gough stated that notices of the public hearing were posted in the area.

Elizabeth Tanner came forward to explain that she lives on Smith's Road and carried the petition for the zoning. She stated that she approached all homes as well as trailers. She stated that the people in the trailers want to build homes on the trailer lots but they cannot build until the land is rezoned. When the roads are taken over then houses can be built on their lots.

Councillor Lachance asked Mrs. Tanner if it was understood by the people in the area and whether it was the intent of those people to have that area eventually be all single family dwellings on those properties.

Mrs. Tanner stated that it was understood that they wanted a Zone R-2 because they wanted the protection of having a basement apartment in their homes or if they wanted to put a duplex on their property that they could.

Councillor Lachance asked if the intent was that eventually there would be no trailers, only homes, and is that what the people want.

Mrs. Tanner said that the people totally understand that and that is what they wish. She did not feel that a 30 day postponement would be of any benefit.

Councillor Lichter questioned Mrs. Tanner regarding the number of people who signed the petition and her reply was that only 7 homes in the area did not sign and that was because the people did not want to become involved.

Councillor Fader asked if this was a private road and Mrs. Tanner stated that they had tried to make it a highway. Their main purpose is to get zoned so that they can have the Department of Highways take over the road so that land there can be developed.

It was moved by Councillor Cosman and seconded by Councillor Lawrence:

"THAT the Zoning By-Law be and the same is hereby amended by rezoning lands on Killarney Drive from G (General Building Zone) to R-1 (Residential Single Family Dwelling Zone) and the balance of the area as shown on the map per application #21-78 from G (General Building Zone) to R-2 (Residential Two Family Dwelling Zone)." Motion Carried.

Warden Settle introduced Application #22-78 - Eastern Passage Request to Rezone Lot "A", Lands of Roy Dooks, Eastern Passage from G (General Building Zone) to I-1 (Industrial General Zone). District 6.

Mr. Gough stated that this application was advertised as prescribed under the terms of the Planning Act and there had been no written communications either in favour of or objections to the proposed rezoning. He then oriented Council as to where the subject property is by means of the projector. He stated that Lot "A" is on the Eastern Passage Road and is the waterfront facility for the industrial use of a tank storage space. The existing land use in the area, on Howard Avenue, is basically single family homes, nearby is Autoport's storage space for cars and lands of Roy Dooks zoned industrial and single family homes scattered throughout. In the area of Lot "A" are single family dwellings, a couple of vacant lots and a beverage room. The Planning Department is recommending that zoning be granted.

Councillor MacKenzie inquired if this is on the harbour and received an affirmative reply.

Mr. Gough explained further that the other 30 acres of land which Mr. Roy Dooks had had rezoned in approximately 1975 and his present use for this Lot "A"; it was in a general state and then Council adopted a Section of the Zoning By-Law that required a public hearing for any further industrial uses and this is the cause for consideration being given to this. Lot "A" is extremely important because there is already a wharf facility constructed there and he eventually hopes to land oil and pump it across the road to the tank storage space.

Warden Settle called for anyone who wished to speak in favour of this rezoning and Mr. Drury came forward.

Mr. Stewart Drury introduced himself and stated that he represents Roy Dooks. He stated that this lot of land is on deep water and it's a very important industrial site. About 1972, Mr. Dooks commenced a very substantial wharf which he has recently completed. It is fitted to take deep sea vessels. It not only is fitted to pump oil through to the thirty acres that have been referred to but there is now under construction, a million gallon tank which will hold salt and solution and that will have the capability to pump that salt and solution from ships tied to the wharf up to this tank which is nearing completion. Also Mr. Dooks very recently purchased a three hundred thousand tank from Autoport and moved it across the road and put it up on the thirty acres. It also provides storage facilities and he has recently completed four twenty thousand gallon tanks on the industrial side of the road. It will also eventually be supplied from this wharf. The land was acquired from Knox in order to obtain the shore frontage and also because a requirement of the Department of Transport who, some years ago after that land was acquired, entered into a lease with Mr. Dooks for the water lots. So, briefly, this is a very important industrial development entirely without subsidy from anybody, done by Mr. Dooks and providing rapidly increasing assessment for the County. The project was started about 1972 when it was a General Zone and it wasn't apparent that it was necessary to have this rezoned Industrial which, of course, it now is and so he said he could go on further at length but he really thinks that it's rather a clear situation and he doesn't want to take any more of Council's time unless there are some questions.

Councillor Deveaux asked if Mr. Dooks had received approval from all the departments involved, DOT, Fire Marshal and what have you.

Mr. Drury stated that all the departments involved, Environment with regard to the 20,000 gallon tanks, certainly he had been in touch with the Deputy Minister of Environment with regard to the tanks and the recommendation had gone to the Minister but whether it was already signed he didn't know but could find out.

Mr. Deveaux stated that he had been in touch with the Environment people for the past two weeks and was in touch with them that morning and according to the Environment people, Mr. Dooks had not yet received their approval.

Mr. Drury stated that it must still be on the Minister's desk and had been there for at least three months. He knows that it has gone forth with a recommendation.

Councillor Margeson inquired as to the tank of salt water and Mr. Drury replied that it was road salt and solution which is used by the Department of Highways to keep the dust down on the streets that aren't paved. A chemical company needs it for storage for a source of supply and is not combustible.

Warden Settle called for anyone from the gallery who wished to speak in favour of or in opposition to the proposed rezoning and received no response.

Councillor Deveaux stated many reasons why the application should not be granted and questioned why those tanks were allowed to be erected in such close proximity to dwellings.

It was moved by Councillor Deveaux and seconded by Councillor Margeson:

"THAT the application be deferred for 30 days due to lack of final approval by the Department of Environment."
Motion Defeated.

Councillor Smith inquired whether the tanks were oil storage tanks or salt solution tanks and Councillor Deveaux replied that the property in question is adjoining where the oil and gas tanks have already been placed. They have no bearing on the salt solution tanks which are further up in the back portion of the field.

Mr. Drury stated that the land in question is not the land that the oil tanks are on and Councillor Deveaux said that he understood that but it's all part of the operation.

Councillor Lachance said that he's not clear what Councillor Deveaux is trying to achieve by the 30 days. He asked what is going to happen in that 30 day period to change things. Councillor Deveaux replied that he couldn't answer that but is basing his motion on the fact that he hasn't received final approval from the Department of Environment. There was much further discussion.

It was moved by Councillor Lawrence and seconded by Councillor McCabe:

"THAT the Zoning By-Law be and the same is hereby amended by rezoning land at Eastern Passage being Lot "A", Lands of Roy Dooks, Eastern Passage from G (General Building Zone) to I-1 (Industrial General Zone) as per application #22-78."
Motion Carried.

Councillor Eisenhower asked why go to Industrial from General and Warden Settle said that he understood that this was the last small parcel of land still zoned General.

Warden Settle introduced Application #24-78 - Request to Rezone Lands of Garfield Pettipas, Parkcrest Subdivision, Flying Point Road at Upper Lawrencetown from R-1 (Residential Single Family Dwelling Zone) to T (Mobile Home Park Zone). District 9.

Ms. Smith of the Planning Department stated that this application has been advertised as prescribed under the Planning Act and no correspondence has been received either in favour of or in opposition to the application. Ms. Smith explained the area in question to Council and stated that the Planning Department is recommending approval of the application. They feel it is a special application that warrants consideration. In February 1978, Mr. Pettipas' house, which was located on that property, was burned and he was forced to move in with some neighbours. Because he was unable to construct a new house he located a mobile home on his lot and it would obviously require rezoning. The lot is 32,000 square feet in area. The Planning Department feels that, because of the other trailers in the area, the rezoning of that particular lot to T Zone would not greatly change the character of the area and that this is a hardship case in that Mr. Pettipas had virtually nowhere to live.

Councillor Lichter asked for the date of the application of this rezoning and Ms. Smith replied that the original correspondence was received from Mr. Baker who was acting on behalf of Mr. Pettipas. It was received in June and at that time only a letter and a cheque were received. What is needed is a legal description and a survey plan and there was some difficulty in getting these because Mr. Pettipas' deed was destroyed in the fire so it was not until some time in October the information necessary was received to actually permit an application.

There was some further discussion by Councillors and Warden Settle then called for persons in favour of the rezoning to come forward. There being no response, Warden Settle then called for anyone who wished to speak against the rezoning and there was no response.

Deputy Warden Gaetz stated that he had called several people in the district and everyone was in favour of the application.

It was moved by Deputy Warden Gaetz and seconded by Councillor Baker:

"THAT the Zoning By-Law be and is hereby amended by rezoning lands at Upper Lawrencetown, being lands of Garfield Pettipas, Parkcrest Subdivision, Flying Point Road from R-1 (Residential Single Family Dwelling Zone) to T (Mobile Home Park Zone) as per application #24-78."
Motion Carried.

Warden Settle introduced Application #25-78 - Cole Harbour - Request to rezone Lot N7B of the James F. Bissett Subdivision, Lands of E.H. Banks, 265 Caldwell Road at Cole Harbour from R-1 (Residential Single Family Dwelling Zone) to R-2 (Residential Two Family Dwelling Zone). District 7.

Ms. Smith stated that the application has been advertised as prescribed under the terms of the Planning Act and although no correspondence was received either in favour of or opposed to the application a telephone call was received that morning from an adjacent property owner who is quite concerned that this application might be approved. Ms. Smith then explained the area to Council and pointed out that it is pretty well a single family neighbourhood. The Planning Department has recommended that the application be rejected. The application was made by Mr. E.H. Banks to

rezone the lot to R-2 (Residential Two Family Dwelling Zone), to allow Mr. Banks to convert the basement of his home to an apartment which is to be occupied by himself and to rent the upper floor. The apartment has already been constructed and Mr. Banks is living in the basement and there is a family living in the upstairs part of the house. The Planning Department is recommending the rejection of the application, first of all because the neighbourhood is predominantly single family dwellings and by rezoning the one single lot, other applications would be encouraged to permit apartments. Another reason is because the apartment has been illegally constructed and the Planning Department does not condone this kind of activity.

Councillor Lachance inquired how this matter came to the attention of the Department and Ms. Smith responded that an application had been received to rezone the property and the Department had no idea at that time that the apartment had already been built until one of the staff members visited the property. She stated that it is her understanding that Mr. Banks did not know that the zoning prohibited him from building the apartment.

Councillor Lachance suggested that they do not yet know whether it is a hardship case and Councillor Cosman inquired whether Mr. Banks had a building permit to make renovations to the house and if so was he not informed that he was in the wrong zone to do that. Ms. Smith stated that as far as she knew he did not have a building permit.

Councillor Smith asked if they knew for a fact that the apartment was put there after the house was built or was it put there while the house was being built and Ms. Smith stated that the house has been there for some time and the apartment was built last October.

Councillor Lachance asked if, in any given area, a number of uses of this type couldn't be absorbed before a community is really being undermined and Ms. Smith replied that it's the manner in which this has occurred which is liable to undermine the Zoning By-Law.

After further discussion by Councillors, Mr. Banks appeared before Council in reply to a call by Warden Settle.

Mr. Banks stated that unfortunately, he is the Banks from 265 Caldwell Road, and as the County puts it, he's afraid he's guilty. He didn't intend to be that way. To put it at the beginning, a family problem created a situation where he has a 12 year old son and he has to moonlight at least three nights a week until 12:30 or 1:00. He couldn't leave him alone by himself so either break one law and leave him in the house all by himself or hire someone, which he couldn't afford to do so he moved a family in to board himself and his son. This wasn't a very good situation and the basement was completed, with a 22x16 foot game room and a family room 16x12. His son and himself used the basement for watching TV and everything else except eating their meals and sleeping, which they did upstairs. The situation became unbearable and he had to sort of ask that family to leave and the second family that he's taken into look after his son but they don't board him and his son. They weren't interested in that and they wanted the place to themselves so he and his son ended up living downstairs. There's a full bathroom and a large family room which is as good as the upstairs living room which is he thinks 16 or 17 by 14 wide and a big games room and the full bath. They were living downstairs there and the people upstairs were looking after his son the nights that he went on the part time job so eventually it came to a point where in October, when he understood that if he was going to continue he had to do something about rezoning, he put in the application for rezoning. He entered the VG Hospital for neurosurgery and when he came out he had about three months to sit home by himself so after the application was put in he, apparently this was the problem, put up a partition in the games room to make it into a bedroom and a kitchen. That's the minor construction that was required so, like he says, he is guilty of what the County accuses him of but - he said he doesn't like to be called a hardship case but that's the only way he can keep his home or ever hope of having another one.

Councillor Fader asked if this was an interim step until Mr. Banks could put himself in a better financial position and Mr. Banks replied that his original letter mentioned 5 or 6 years until his son is ready to go to college. Mr. Banks said he was under the impression he did not need a building permit unless he was making changes to the outside of the house.

Councillor Lachance asked at what point Mr. Banks found he had gone too far without a permit and Mr. Banks replied around October when he found he couldn't continue on living the way he was without converting the basement and he then put in the application for rezoning. He did not know, until this meeting, that he had to have a building permit.

There was much discussion between Councillors and Mr. Banks concerning whether rezoning was necessary, if there was a way in which the same ends could be achieved without rezoning by considering the tenants upstairs as boarders or in some other capacity. Mr. Banks stated that it was necessary that he receive the income from his tenants in order to keep his home.

Warden Settle called for anyone else wishing to speak in favour of the rezoning application of Mr. Banks. Hearing no response, Warden Settle called for anyone who wished to speak in opposition to the rezoning application to come forward and there was no response.

Councillor Cosman stated that she would like to correct a misassumption that the PAC recommended that a hearing not be held. The PAC did not make that recommendation, they recommended that a hearing be held. The staff report made the recommendation that the application be rejected.

It was moved by Councillor Cosman and seconded by Councillor Deveaux:

"THAT the Zoning By-Law be and is hereby amended by rezoning lands at Cole Harbour being Lot N7B of the James F. Bissett Subdivision, lands of E.H. Banks, 265 Caldwell Road at Cole Harbour from R-1 (Residential Single Family Dwelling Zone) to R-2 (Residential Two Family Dwelling Zone) as per application #25-78."
Motion Carried.

Councillor Deveaux apologized if he made the wrong statement. He had meant to say the Planning Department and not the Planning Committee.

It was moved by Councillor MacKenzie and seconded by Councillor Fader:

"THAT Council adjourn."
Motion Carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX
MINUTES OF SPECIAL COUNCIL SESSION
Friday, March 23rd., 1979

Council opened with Warden Settle in the Chair. Following the Lord's Prayer, the Municipal Clerk called the roll.

It was moved by Councillor Walker and seconded by Councillor MacKenzie:

"THAT Mr. Bensted act as recording secretary for this Session."
Motion Carried.

The Warden advised that the Special Session covered two items, 1) Staff Report re Municipal Development Plan and proposed outline procedure, 2) proposed Municipal Elections Act.

Councillor Lawrence raised the question that some Councillors apparently had not received or had not read the Staff Report and outline procedure with respect to the Municipal Development Plan and questioned whether Council could deal with this report at this time.

Councillor LaChance stated that he had some questions with respect to the Staff Report which he would wish to discuss either before or during consideration of the report.

It was moved by Councillor Cosman and seconded by Councillor Fader:

"THAT Council adjourn to 2:30 p.m. in order to allow all Councillors to at least read the Staff Report and proposed outline procedure."
Motion Carried.

Council reconvened at 2:30 p.m. and Mr. Gough with the aid of visual charts proceeded to give an outline of the proposed Staff Report and proposed procedure with Councillors asking questions or raising points during Mr. Gough's outline.

Councillor Sutherland questioned as to how Council and our Committee would proceed with the grass root planning and establishing objectives.

Councillor Williams questioned as to what Council would be getting for the expenditure of \$150,000.00 and that there was already too much planning that the public at the previous public hearings have said "Stop. Where are we going now? The public should be in at the start. You cannot separate urban from the rural." And while the outline proposal may look good on paper there is no guarantee of preserving existing zoning.

Councillor Cosman stated that she was disappointed in that Council had two choices, 1) do nothing with planning and 2) to plan and control. Councillor Cosman stated that at the public hearings Councillors heard from the lions and not from the lambs and that the Municipal Council did not accept their own responsibilities in that Council could have gone ahead with the original proposed Municipal Development Plan with some amendments. Councillor Cosman stated that it is not always easy to get grass root planning, that while the people of Bedford did become involved and do their own planning, there was a great apathy in other areas. Councillor Cosman questioned as to whether the proposed plan would mean to freeze future zoning applications, that at the present time Council lacks the authority to approve master plans and that P.U.D. agreements are being used as a vehicle where they should not be used, that controls are not being placed where they should be placed and that Council cannot afford to take a year to finalize a plan. Councillor Cosman also raised the question as to whether Bedford could do their own plan now independent of the other urban areas.

Councillor McCabe stated that he did not feel he could comment today, that the rural and urban areas are different, that we have a need to maintain the industries that we have and that poor people cannot afford the present time delays in attaining their building permits for residential construction.

Councillor Topple stated that Council has to deal with the matter of a Municipal Development Plan some time or other. The Provincial Government created the problem by bringing forth the Regional Development Plan, that the Provincial Government by means of grants and cost-sharing contributes to a large extent to the cost of servicing and that if the Municipality does not plan the Province will plan for us.

Mr. Gough, in answer to some of these questions, stated that Bedford or any other area could conceivably in detailed planning establish stricter controls in other areas and that he was not in a position at this point in time to say whether or not the Minister would approve a plan for Bedford before total urban planning was completed.

Councillor Deveaux stated that he agreed that the County must plan and questioned where do we go today if this outline procedure is accepted. How would planning be done for example, for Eastern Passage with existing zoning and how soon can we complete it.

Mr. Gough advised that Council could start the procedure by approving the recommended outline procedure and the proposed MDP Committee, if approved and formed could then start the process which would then allow staff to proceed as outlined in working with the Committee.

Councillor Fader stated that he felt that this was a good report and recommended procedure, that it was in line with what people and Councillors wanted and needed and was realistic.

Councillor Benjamin stated that planning is never stationary, that it depends on the demands and needs of the times and questioned as to whether we were considering adjoining municipal units, that the tax rates in some of the urban areas including area rates, are almost as high as the city areas, that the Municipality must be regional in thinking and must listen to the public, that it would be necessary to have objectives to place before the people and questioned the large committee going into individual areas.

Deputy Warden Gaetz questioned which way Council should go? Should Council have input from the local committees first or should Council go forward with the public?

Mr. Gough stated that probably Council could go both ways if communities were prepared to put forward sufficient input, or Council could go forward with outline objectives to be discussed at the local level.

Councillor Williams questioned as to whether development was being held up under the Regional Development Plan.

Mr. Gough answered that he did not think that there was very much development, if any, that was being held up because of the Regional Development Plan, that the Municipality could if the Municipality could justify it, place proposed amendments before the Minister with respect to the Regional Development Plan.

Councillor LaChance stated that the Municipal Development Plan was not all that bad but that the approach was wrong, that there is bound to be differences of opinion between Councillors and between different areas and communities, that some communities will be prepared to put forward their own planning proposals and that lesser control would be required in some of the rural areas than in some other areas and how should this be handled. Councillor LaChance also stated that it would be necessary for Council to work with other independent committees such as the Lake Major Watershed, et cetera.

Mr. Gough advised that it would be necessary for the Municipality to follow a path that is acceptable to the Minister of Municipal Affairs but in his opinion, the outline proposal could meet the concerns put forward by Councillors and could deal with communities that wish to put forward proposals et cetera.

Councillor Lichter stated that 90% of the tax payers are average people and that the average person should have the right to determine the problems that exist and have an opportunity to deal with these problems. Councillor Lichter stated that first of all, it should be determined what problems are facing the rural and or urban areas so that all people may be advised as to what problems do exist and then have an opportunity to assess and deal with these problems.

Councillor Baker questioned the zoning problems in his district and in particular ones which had been dealt with by Council on a contract zoning which turned out to be one which Council could not enter into.

It was moved by Councillor Fader and seconded by Councillor McCabe:

"THAT Council accept the staff report and proposed outline procedure and that Council appoint the proposed Municipal Development Plan Committee at the regular Council Session on April 17, 1979."

Councillor MacKenzie questioned as to whether or not Council was moving too fast.

Councillor Smith stated that she agreed with the comments of Councillor Lichter.

Councillor Margeson stated that he felt that the staff report was a good report and that Council as a whole must be totally informed at all times as well as the general public, that an area like Bedford may, in a short period of time, be their own masters through incorporation.

Councillor Williams stated that he still had concerns as to the effects on the rural areas.

It was moved by Councillor Lawrence and seconded by Councillor Lichter:

"THAT this motion be deferred to the April 3, 1979 Session of the Municipal Council."
Motion Carried.

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THE MUNICIPALITY OF THE COUNTY OF HALIFAX
MINUTES OF MARCH COUNCIL SESSION
TUESDAY, MARCH 20th, 1979

Warden Settle opened the March meeting at 2p.m. with the Lord's Prayer followed by Mr. Bensted calling the roll.

It was moved by Councillor Eisenhauer and seconded by Deputy Warden Gaetz:

"THAT Mrs. Eileen Morres be appointed as recording secretary."
Motion Carried.

It was moved by Councillor Fader and seconded by Councillor Smith:

"THAT the minutes of January 30, 1979 Council Session be approved as amended."
Motion Carried.

Councillor Cosman noted that on page 1, bottom paragraph, "Councillor Lichter stated that he hated to be the first one but he kind of expects that there will be a little bit more discussion before Council goes to vote. He thinks every member received this document", I think this should read "Transcript".

It was moved by Councillor Deveaux and seconded by Deputy Warden Gaetz:

"THAT the minutes of February 12, 1979 public hearing be approved."
Motion Carried.

It was moved by Councillor McCabe and seconded by Councillor Baker:

"THAT the minutes of February 20, 1979 Council be approved as amended."
Motion Carried.

Councillor Lawrence noted that on page 7 there was a blank space which should logically read "it would make". It seems that it is a whited out area which did not have the correction made. On page 9, third last paragraph, "Councillor Lawrence commented that if there are any other situations where Council has been asleep at the switch for 18 years in terms of the realistic fees they're charging" she hoped, should be inserted in order to make sense of the sentence.

It was moved by Councillor Smith and seconded by Councillor Wiseman:

"THAT the minutes of March 9, 1979 Special Session of Council be approved."
Motion Carried.

The following items were added to the Agenda:

Councillor Deveaux - Sprinkler systems in Senior Citizens' Homes
- Lot Approval of service lanes - unlisted roads

Councillor Wiseman - District Returning Officers' Salary
- Appointment of Dog Constable
- Task Force Main Street

Councillor Cosman - Enabling Legislation for Contract Zoning
- The Lord's Day Act
- A motion asking Municipal Affairs to set up a separate appeal board for sewer and water charges
- Traffic problems
- Massage Parlours

Councillor Margeson - a hundred ways to conserve energy

Councillor Baker - Department of Transport

Councillor Topple - Roadside spraying

Councillor Sutherland - Undersized lot legislation

Deputy Warden Gaetz - Assistance by the Government to small business

Councillor Lawrence - Tax exemption for firemen