

The Committee recommend to Council for approval a Minimum Housing and Maintenance Standards By-Law for the Beechville-Lakeside-Timberlea area."

Councillor Poirier was in favour of approval of this By-Law in order that the RRAP Program could be implemented in her District.

It was moved by Councillor Poirier, seconded by Deputy Warden Margeson:

"THAT Council approve the Minimum Housing and Maintenance Standards By-Law for the Beechville-Lakeside-Timberlea Area."
Motion Carried.

With regard to page 5, item 6.5(b) of the By-Law, where it stated: "Where flooring has become damaged, cracked or holed such as to be an accident hazard it shall be repaired, replaced, or removed", the Deputy Warden felt that the word "removed" should be deleted. To him, this indicated that the floor should be removed, which he felt would certainly cause a worse hazard.

Mr. Birch, however, explained that this meant that the "hazard" shall be removed via the repair or replacement of the floor. Therefore, the motion to approve the By-Law, as is, was approved.

The Deputy Warden had pointed out this criticism of the wording of the By-Law prior to the vote being taken to approve said By-Law and requested that the wording of the By-Law be altered to read, "replaced or made safe".

Mr. Cragg ruled that since no action had been taken relative to the By-Law, the wording could be altered before being sent to the Department of Municipal Affairs, without officially making a motion to amend the wording of it, although it would have been procedurally better to make the change prior to the motion of approval being passed.

It was agreed by Council to change the wording of the by-law as per the suggestion of the Deputy Warden.

Councillor Poirier thanked Council for its support in approving the By-Law as this would allow her District to benefit from the RRAP Program.

Councillor MacDonald then questioned Mr. Butler as to when the remainder of the Municipality would also enjoy the benefit of the RRAP Program, both Rural and Urban. He was advised by Mr. Butler that a letter has already been sent to C.M.H.C. requesting that the remainder of the Municipality, within the Regional Development Plan Boundaries, be designated as RRAP area; he had not yet received a response to this letter but he is hopeful of an answer in the affirmative.

Councillor Deveaux spoke at length in support of the RRAP Program and urged that steps be taken as soon as possible to spread it throughout the rest of the Municipality.

Councillor DeRoche was in support of the RRAP as well; however, he expressed his sincere hope that in designating new areas for the RRAP Program, funds would not be cut from those areas already receiving this type of Government assistance. He indicated that in some areas, presently administered from the Truro Rural and Native Housing Office, there are backlogs of one to two years due to shortage of funds.

Councillor Adams also spoke briefly with regard to this program, echoing the comments of Councillor DeRoche.

It was moved by Deputy Warden Margeson, seconded by Councillor Baker:

"THAT a letter be written to the Minister in Charge of the Canada Mortgage and Housing Corporation with copies to the appropriate Members of Parliament, thanking them for the implementation of the RRAP Program in Beechville-Lakeside-Timberlea and requesting their support in budgeting for 1984, 1985 and 1986 to add to their program in both the Urban and Rural areas of the Municipality of the County of Halifax."
Motion Carried.

RESIDENTIAL REHABILITATION ASSISTANCE PROGRAM AGENCY AGREEMENT

Mr. Birch and Mr. Butler remained in attendance for the discussion of this item as well. Mr. Butler advised that Council would have to enter into the Residential Rehabilitation Assistance Program Agency Agreement with C.M.H.C. in order to administer the Program in Beechville-Lakeside-Timberlea.

Mr. Butler highlighted certain areas of the Agreement which were then discussed briefly by Council. (Please refer to Agreement attached to the Agenda for detail).

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

"THAT the Municipality enter into a Residential Rehabilitation Assistance Program Agency Agreement with C.M.H.C. in order to administer the RRAP Program in Beechville-Lakeside-Timberlea."
Motion Carried.

Subsequent to the above approval, Mr. Birch and Mr. Butler retired from the Council Session.

Request For Capital Grant - District No. 5

Mr. Kelly outlined this item from the Policy Committee Report, advising: "The Policy Committee discussed a request for a Capital Grant from the Herring Cove and District Volunteer Fire Department to purchase and install a system of dry fire hydrants.

...

The Policy Committee recommends that Council approve \$5,000.00 from the District Capital Grant Fund, and that the remaining \$10,740.00 be approved through an interest free loan to be repaid over a five year period.

The loan was suggested to be on an interest-free basis, as the dry fire hydrant system is considered a demonstration project."

Attached to the Council Agenda was a copy of the Grant Request and a letter from Councillor Baker which explained the Dry Fire Hydrant System. (Please refer to letter for details).

The letter from Councillor Baker also advised: "Earlier this Spring, Chief Moody was successful in having a NEED Grant approved for his fire Department in the amount of \$47,022.00. As you may be aware, the project will see the completion of: (1) approximately 40 pre-plans of all major structures served by that Department; (2) the construction of a three-storey rescue tower for training; and (3) the installation of several "dry hydrants".

The letter also advised.

"The grant being applied for by the Department would see the completion of the dry hydrant system through all the communities served by the Herring Cove and District Volunteer Fire Department, and not just the communities of Herring Cove and Ketch Harbour; these being the two largest communities, the five hydrants installed to date have been placed here. Due to the limited funds made available under the NEED Program for materials, it is not possible for the fire department to install any more than five hydrants. It should be pointed out that each hydrant costs, on average, \$1,000.00; the special piping involved costs in the vicinity of \$10.00 per foot and a single fitting for one hydrant costs between \$290.00 and \$490.00. A good aspect is that once in, the system, while requiring annual testing, requires no maintenance except in the case of vandalism.

The other minor costs included in the attached estimate relate to completion of the training tower project -- a very worthy project supported by the Nova Scotia Firefighters School in Waverley and also a small amount of funds that would pay for a hydrant adaptor which would be purchased on behalf of the Harrietsfield-Sambro Fire Department which would then allow them access to our dry hydrant system for purposes of mutual aid, training and fire suppression situations."

Although Councillor Baker had agreed with the recommendation of the partial grant and partial loan, at the Policy Committee level, he advised that he would prefer that the entire amount be granted to the Department. He advised that he had seen several of the dry fire hydrants already installed and that he was impressed with the system. He spoke at length in support of the system and questioned whether there were any means by which Council could support a partial District Grant Request and a partial General Grant Request. He advised that most of the \$10,600 in the District No. 5 Capital Grant Fund had been committed to other projects and further that the Fire Chief was not in support of entering into another loan with the Municipality at the present time.

Mr. Meech, however, indicated that the Dry Fire Hydrant System was not eligible for General Capital Grant Funding. It would be eligible for a loan from the Municipality or alternatively for District Capital Grant

Funding or both. He also advised that when the Urban and Rural Services Committees had discussed the Grant system, it had been recommended that the District portion of the total grants be increased to 30% (to be discussed later in Council Session) and this would mean more money per district in 1984, at which time District No. 5 would be able to afford to install the dry hydrants from that fund.

It was moved by Councillor Baker, seconded by Deputy Warden Margeson:

"THAT Council approve \$5,000.00 from the District No. 5 Capital Grant Fund and that the remaining \$10,740.00 required to complete the installation of Dry Fire Hydrants in District No. 5 be approved through an interest-free loan from the Municipality to be repaid over a five-year term."
(See Motion to Defer)

Although the above motion was moved by Councillor Baker he did reiterate his opinion that the amount of \$10,740.00 be taken from the General Capital Grant Fund, especially as the Hydrant System was a pilot project.

Councillor Eisenhauer was in support of the Fire Hydrant System itself; however, he advised that the Municipality has a certain Policy right now relative to what General Capital Grants can be used for and that Policy should be adhered to. To approve a General Capital Grant in this amount for this purpose would create a precedent and many other Fire Departments in the Municipality will be desirous of implementing this Dry Fire Hydrant System and will be wanting General Capital Grant Funds in order to get the system installed.

Councillor Mont was basically in agreement with the statements of Councillor Eisenhauer; however, he indicated that the General Capital Grant should not even be an issue at this point as it is still frozen.

Councillor Deveaux indicated that the General Capital Grant issue is included in tonight's agenda under the Urban Services Committee Report; he questioned whether this discussion relative to the Herring Cove Grant Request should be deferred pending the discussion of the Urban Services Committee Report.

It was moved by Councillor Baker, seconded by Deputy Warden Margeson:

"THAT this issue be deferred until subsequent to the discussion of the Urban Services Committee Report relative to the General Capital Grant Fund."
Motion Defeated.

Councillor Bayers then spoke on the original motion advising that he would be in support of the District Capital Grant and the interest-free loan but not the use of the General Capital Grant for this purpose. He questioned Mr. Meech as to whether it would be possible to borrow the money as recommended by the Policy Committee and then to repay it from the District Capital Grant Funds in 1984. Mr. Meech advised that this would be possible if Council passed a resolution to that affect.

Councillor Deveaux spoke briefly in favour of the utilization of the General Capital Grant Funds for this purpose but in opposition to an interest-free loan. He felt that many projects could be termed demonstration projects and therefore, the interest-free loan system would be taken advantage of.

Councillor DeRoche commended the Fire Department in its effort to provide better service to the Herring Cove and Area District; however, he advised that the General Capital Grant is not designed to be used for the proposed purpose and therefore, he could not approve utilization of that Grant. The Councillor did, however, support the interest-free loan and the District Capital Grant of \$5,000.00.

Councillor MacKay advised that if Council could not follow the Policy for allocation of the Grants then the Policy should be changed so that the Grant Money can be utilized in the best manner possible. He advised that this money comes from all taxpayers and it is up to Council to allocate it in the proper manner. He further advised that the Dry Fire Hydrant System is one which could benefit many Fire Departments; he felt the project proposed by the Herring Cove and District Volunteer Fire Department was worthwhile and he was in support of Granting the Request from Councillor Baker for a \$5,000.00 District Grant and a General Grant in the amount of \$10,740.00.

Deputy Warden Margeson was of the opinion that each District in the Municipality of the County of Halifax should donate \$500.00 from their respective District Capital Grants for a total of \$10,500.00. He advised this would almost cover the amount required.

This suggestion was not well received by most Councillors.

Councillor McInroy indicated that he was impressed with the Dry Fire Hydrant System; however, he pointed out that it was not a Demonstration or Pilot Project as they had already been installed in Shelburne County. He further indicated his opinion that the Policy Committee recommendation was already quite generous and he advised that he would support that recommendation.

It was amended by Councillor Deveaux, seconded by Deputy Warden Margeson:

"THAT the \$10,740.00 required above and beyond the \$5,000.00 District Capital Grant, be allocated to the Herring Cove and District Volunteer Fire Department from the General Capital Grant Fund towards the installation of Dry Fire Hydrants."
Amendment Defeated.

Subsequent to the above, the question was called on the original motion.

It was moved by Councillor Baker, seconded by Deputy Warden Margeson:

"THAT Council approve \$5,000.00 from the District No. 5 Capital Grant Fund and that the remaining \$10,740.00 required to complete the installation of Dry Fire Hydrants in District No. 5 be approved through an interest-free loan from the Municipality, to be repaid over a five-year term."
Motion Carried.

It was moved by Deputy Warden Margeson, seconded by Councillor Eisenhauer:

"THAT Council recess for five minutes."
Motion Carried.

URBAN SERVICES COMMITTEE REPORT

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

"THAT the Urban Services Committee Report be received."
Motion Carried.

Capital Grant Allocations

Attached to the Council Agenda was a report concerning the Capital Grant Allocations as discussed by the Urban Services Committee. The Urban Services Committee recommended approval of the following:

1. "70% of the total grant be considered as general capital purposes and 30% be considered at district funds, which is similar to the recommendation of the special committee.
2. The recommended new allocation between general and districts be implemented only if the amounts allocated under Section E, be the same as stated in the special committee of rural Councillors except that a section be added as follows: "General Municipal purposes for the benefit of the entire County would exclude construction, or expansion of buildings, re: fire departments, recreation or community facilities", and equipment and furnishings for those facilities.
3. The committee also recommends that the disposition of general funds be 50% allocated for Sections A to D under criteria for eligible projects by purpose and 20% for A to E under this same criteria."

Councillor DeRoche advised that the Urban Services Committee had also intended that provision be made for the Policy to be reviewed annually relative to the District Portion of the Grant as 25% or 30% could be a higher or lesser amount in different years, depending on what the Provincial Government allocated to the Municipalities.

Subsequent to brief discussion, it was agreed by Council that the fourth recommendation be added to those in the Urban Services Committee Report, as follows:

4. That there be an annual review each year, for the forthcoming year, of the Grant Allocation, relative to the percentage of the District Capital Grant portion.

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

"THAT the recommendations of the Urban Service Committee relative to the allocation policy for the District and Capital Grants be approved as follows: (1) 70% of the total grant be considered as general capital purposes and 30% be considered as district funds, (2) the recommended new allocation between general and districts be implemented only if the amounts allocated under Section E, be the same as stated in the special committee of rural Councillors except that a section be added as follows: "General municipal purposes for the benefit of the entire County would exclude construction, or expansion of buildings, re: fire departments, recreation or community facilities", and equipment and furnishings for those facilities, (3) The committee also recommends that the disposition of general funds be 50% allocated for Sections A to D under criteria for eligible projects by purpose and 20% for Sections A to E under this same criteria, (4) that there be an annual review each year, for the forthcoming year, of the Grant Allocation, relative to the percentage of the District Capital Grant portion."

Councillor Lichter advised that the Recommendations of the Special (Rural Services) Committee were not the same as those of the Urban Services Committee with regard to recommendation number two; however, both recommendations were included in the same report to Council.

For comparison purposes both recommendations no. two are listed below, as follows:

Urban Services Committee Recommendation No. Two: The recommended new allocation between general and districts be implemented only if the amount allocated under Section E, be the same as stated in the special committee of rural Councillors "except that a section be added as follows: "General municipal purposes for the benefit of the entire County would exclude construction, or expansion of buildings, re: fire departments, recreation or community facilities", and equipment and furnishing for those facilities."

Special (Rural Services) Committee Recommendation No. Two: Under criteria for eligible projects by purpose that Section E "not state what major projects are defined as to benefit the entire County."

Councillor Lichter questioned which recommendation was under discussion at the present time. He was advised by Mr. Meech that the motion made by Councillor MacKay and seconded by Councillor Snow was to approve the Urban Services Committee Recommendations with the addition of the fourth item as agreed to by Council.

Mr. Meech further advised that the intent of both recommendations no. two was the same, only the Urban Services Committee had felt that there should be some elaboration in the definition of what should be excluded under section E of the Grants Policy.

Councillor Lichter then advised that himself, Councillor Snow and Councillor Walker did not have the opportunity to attend that meeting as they had received their notices after the meeting had been held. He advised that from the recommendation in the Urban Services Committee Report, it appeared that the Rural Districts would have to sacrifice a great deal in order to gain an additional 5% in their District Grant allocation.

Councillor Adams indicated his understanding that at the Special (Rural Services) Committee meeting, recommendation no. two was left specifically vague as the Committee was not clear on Section E at that time.

Councillor Lichter felt that recommendation no. 2 from the Special Committee could benefit the Rural Districts relative to Fire Departments. This recommendation defined major projects as projects which would benefit the entire County. He gave as an example: It would be of benefit to the entire County if the construction of a Fire Department could prevent the Community of Cow Bay from burning down.

Councillor Walker expressed his concern that by approving the recommendations of the Urban Service Committee, relative to no. two, where it states: "general municipal purposes for the benefit of the entire County..." would reduce the usage the Rural Districts would receive from the Capital Funds. He indicated this due to the fact that Rural Districts have fewer, if any, services such as sewer and water, and if the General Grant assistance for Fire Departments and Recreation, Community Facilities were cut off, then the Rural areas would be deriving little benefit from the General Grant Fund.

Mr. Meech advised that, if there was a requirement to put in a water system in a Rural area for arsenic or bacteria pollution reasons, then that area would benefit from the General Grant Funds.

Subsequent to further discussion,

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

"THAT the Report of the Urban Services Committee be referred back to the Special (Rural Services) Committee, for review purposes and further that the Special (Rural Committee) prepare a new Report to Council."

Motion Defeated.

Councillor Lichter then questioned Mr. Meech as to whether the Rural Services Committee was official yet. He was advised by Mr. Meech that the Minister of Municipal Affairs has signed the By-Law establishing the Committee; therefore, there was now in existence an Official Rural Services Committee.

With regard to the controversy over recommendation no. 2 in the Urban Services Committee Report, Deputy Warden Margeson indicated his opinion that Councillors were supposed to be assisting each other and Districts were supposed to be assisting other Districts whenever necessary and

whenever possible; he therefore, recommended that the word "exclude" in that recommendation be deleted and replaced with the word, "include". He felt this would bring the recommendation in line with that of the Rural Services Committee.

It was amended by Deputy Warden Margeson:

"THAT recommendation No. two in the Urban Services Committee Report be amended by deleting the word "exclude" and replacing it with "include"."
(Amendment Lost - No Secunder)

Councillor DeRoche indicated his opinion, on an issue which was addressed when the uses for the General Grant was discussed at the Urban Services Committee, that if there was Government Funding for everything, there would be no spirit of volunteerism left and no reason for volunteer fund raising.

Councillor Reid indicated his understanding that at the Rural Services Committee when this issue had been discussed, it was felt that most of the 70% General Grant Fund was already committed for projects in the near future; 1984, '85. etc. This was the reason why, in his opinion, the use to which the Grant Funds could be put was left deliberately vague, so that no-one would be denied the use of what was left of this Fund.

Councillor Poirier advised that when she was first elected to Council, the only money available to each individual District was a lien law fund which amounted to about \$1,000.00 per District. She felt that a District Capital Grant Fund, which was in addition to the new special Fund replacing the old lien law fund was sufficient. She advised that when the old lien law fund was in place the only avenue to obtain extra services was through tax payers dollars or volunteerism, or to appeal to the Provincial Government, as she had for the money for her sewer and water system in Lakeside-Timberlea.

Councillor Poirier also indicated her opposition to the formulation of the Urban Services and Rural Services Committees as she found them to be very divisive among Council, as was made evident by this discussion this evening.

Subsequent to further discussion, the question was called on the original motion.

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

"As written previously."
Motion Carried.

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

"THAT the Freeze on the General Capital Grant Fund be removed."
Motion Carried.

Regional Public Transit System and A Regional Transit Planning and Traffic Management Advisory Board By-Law

Mr. Kelly advised that the Urban Services Committee recommended to Council that they consider and adopt the Transit By-Law.

A copy of this By-Law and a letter from Mr. Wilson, Director of Finance was included in the Council Agenda for information purposes. (Please refer to by-law and letter for detail.)

Mr. Kelly referred Council to the By-Law in the agenda and advised that the last four lines on page 2 of the By-Law should be deleted as they are repeated at the top of page 3.

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

"THAT the Transit By-Law be adopted by Municipal Council."
Motion Carried.

The By-Law was discussed briefly by Council, prior to approval of the above motion.

INTENTIONS OF THE CITY OF HALIFAX, RE: SEWAGE OUTFLOW IN HERRING COVE AND MCINTOSH'S RUN - COUNCILLOR BAKER

This item had been added to the agenda at the last Council Session by Councillor Baker.

Councillor Baker advised that he had just heard this afternoon from the Chairman of the Herring Cove Ratepayer's Association, that another spill has taken place at McIntosh's Run. Mr. Mills, the Chairman of the Association, advised that the City of Halifax had been working on their pipes and had a break; this work was being carried out without permission of the Department of the Environment.

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

"THAT a Full investigation be carried out relative to the recent sewage spill by the City of Halifax into McIntosh's Run and further that the allegations that this work was being carried out without the permission of the Department of the Environment also be investigated."
Motion Carried.

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

"THAT the City of Halifax be requested to construct a Sewage Treatment Plant on the site of the City's Outflow into Herring Cove or, alternatively, that some other method be implemented to affect a solution to the problem and further that financing for this undertaking be arranged by the City of Halifax."
Motion Carried.

Prior to the passing of the above motion, Councillor Eisenhauer advised that MAPC was reactivating the Pollution Control Committee to attempt to affect solutions to these problems; however, Councillor Baker wanted to initiate some corrective action as soon as possible. Therefore, subsequent to further Council discussion, the above motion was passed.

Mr. Meech suggested that the Warden arrange a meeting with the Mayor of the City of Halifax to discuss this issue. This suggestion was taken under advisement.

PROGRESS FROM SCHOOL BOARD ON CAPITAL SCHOOL PROJECTS - COUNCILLOR ADAMS

Councillor Adams had requested, at the last Council Session, that this item be added to the agenda this evening.

A Report relative to School Capital Projects had been included in the Council Agenda. (Please refer to Report if any detail is required).

Councillor Adams indicated that he was pleased to have the Report in written form; however, he had been more interested in something that could be taken to the Public.

Subsequent to brief discussion,
It was moved by Councillor Adams, seconded by Councillor Deveaux:

"THAT a letter of thanks be sent to the School Board for the Progress Report, included in the Council Agenda, relative to School Capital Projects."
Motion Carried.

ADDITION OF ITEMS

The following were items which had been added to this evenings Council Agenda at the beginning of the Session.

Municipal Elections Act - Councillor Wiseman

Councillor Wiseman indicated that she was on the Committee to review the Municipal Elections Act and included in that was Conflict of Interest Legislation which was to be reviewed and legislated. She had distributed to all Councillors a Report relative to the Conflict of Interest Legislation and advised that all Councillors should read this Report carefully.

Councillor Wiseman then pointed to several areas which should be examined particularly carefully; among these were: Pecuniary Interest and Penalties.

Councillor Wiseman then advised that there would be some minor changes to the Conflict of Interest Legislation before its final approval but she encouraged all Councillors to read it carefully so that if they had any questions or problems or points they would like to raise, they should do so as soon as possible so that she could bring these concerns forward at the Committee reviewing the Municipal Elections Act.

Councillor MacKay indicated his opinion that if this was going to become legislation then it should be discussed at the Policy Committee.

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

"THAT the Conflict of Interest Report distributed to Council, by Councillor Wiseman be referred to the Policy Committee for study and recommendation in consultation with the Municipal Solicitor."
Motion Carried.

RRAP - Councillor Deveaux

Councillor Deveaux advised that this item had been discussed sufficiently and to his satisfaction this evening during the regular agenda discussion.

Notice of Motion, Re: Recognition to Herring Cove and District Volunteer Fire Department for Receipt of Award - Councillor Baker

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

"THAT a presentation be made by the Warden of the County of Halifax to Fire Chief Bob Moody in recognition of the achievement of the Herring Cove and District Volunteer Fire Department in winning the Fire Prevention and Insurance Bureau of Canada Award in 1982."
Motion Carried.

Building Construction, Municipal Administration Building - Deputy Warden Margeson

The Deputy Warden was concerned over the slow-down and near-stoppage of construction work being carried out on the Municipal Administration Building. He questioned Mr. Meech as to the reason for this.

Mr. Meech advised that the slow-down was due to the Electricians' Strike; he advised that although other trades were not on strike, the County Job was a large one and was often picketed. Other trades respected the picketers and did not cross the lines.

This issue was discussed at length and it was determined that not only would the strike delay the completion date of the building but it was also going to cost the Municipality a sum of money in extending leases for employees who previously would have been in the Municipal Building earlier as well as for other reasons. It was determined that the Contractor was likely losing a great deal of money as well, for which the Municipality would not be reimbursing him, due to the signed contract.

It was also explained that the Contractor could not fire the Union Electricians and hire others so there was no way to speed up the work until the Electricians Strike was over.

Mr. Meech advised that because of the Trade Union Law, the contract the Municipality has with Dineen Construction makes provision for strikes, so no-one can be fired or laid off.

Councillor Poirier indicated that there was also a slow-down at the Treatment Plant for the Lakeside-Timberlea sewer and water project, which was also going to cost the contractor and Architect for that project more money, as the project which should have been completed before winter would now have to be winterized. She further indicated that electricians at Bowater are still working.

It was moved by Deputy Warden Margeson, seconded by Councillor Snow:

"THAT a letter be written to the Minister of Labour indicating the Municipality's concerns and requesting that he immediately explore methods of solving the problem."

Motion Defeated.

The above motion was defeated as many Councillors agreed with the comments of Councillor DeRoche who indicated that there are certain laws in place which apply to this situation which give people the right to strike. He advised that this was part of the democratic system.

ADDITION OF ITEMS FOR NEXT COUNCIL SESSION

The following items were added to the agenda of the next Council Session:

1. Policy For Maintenance of Sidewalks in Urban Areas-Councillor MacDonald
2. School Bus Service, Schwartzwald Subdivision - Councillor Snow

ADJOURNMENT

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

"THAT the Regular Council Session adjourn."

Motion Carried.

Therefore, there being no further business, the Regular Council Session adjourned at 11:40 P.M.

REGULAR COUNCIL SESSION

SEPTEMBER 20, 1983

PRESENT WERE: Warden MacKenzie, Chairman
Deputy Warden Margeson
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaudet
Councillor Baker
Councillor Deveaux
Councillor DeRoche
Councillor Adams
Councillor Gaetz
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman
Councillor Mont

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

SECRETARY: Christine E. Simmons

OPENING OF COUNCIL - THE LORD'S PRAYER

Warden MacKenzie brought the Council Session to order at 6:07 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Kelly then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Snow, seconded by Deputy Warden Margeson:

"THAT Christine E. Simmons be appointed Recording Secretary."
Motion Carried.

APPROVAL OF MINUTES

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

"THAT the Minutes of the August 2, 1983 Regular Council Session be approved."
Motion Carried.

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

"THAT the Minutes of the August 16, 1983 Regular Council Session be approved."
Motion Carried.

ADDITION TO AGENDA ITEMS

Warden MacKenzie questioned whether there were any items of an emergency nature which Council would like to add to the agenda this evening. The following items were added to the agenda:

1. Mines Road - Councillor Snow
2. McNab's and Lawlor's Islands - Councillor Deveaux
3. Meeting Date, Re: Discussion of Operating Grants - Warden MacKenzie

LETTERS AND CORRESPONDENCE

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

"THAT the Letters and Correspondence be received."
Motion Carried.

Letter From Nova Scotia Housing Commission - Office of the Minister

A letter had been received from the Minister of Housing advising that the terms of Office of Mrs. Rhetta Mattinson and Reverend Kenneth Vaughan, representatives for the Municipality on the Board of the Halifax County West Housing Authority will be expiring October 27, 1983. This letter requested that the Municipality either re-appoint these representatives or, alternatively, elect new representatives to replace them.

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

"THAT Mrs. Rhetta Mattinson be nominated for re-appointment to the Board of the Halifax County West Housing Authority."
Motion Carried.

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

"THAT Reverend Kenneth Vaughan be nominated for re-appointment to the Board of the Halifax County West Housing Authority."
Motion Carried.

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

"THAT Nominations Cease."
Motion Carried.

Therefore, since there were only two nominations made to fill the two spaces, no election was required and both Mrs. Mattinson and Reverend Vaughan were re-appointed to the Board of the Halifax County West Housing Authority.

Councillor MacKay indicated his understanding that a new Senior Citizen's Home was to be built in Waverley; he questioned whether this would necessitate that another person be appointed to the Board sometime in the future and if so, would that person have to be selected from the Waverley or surrounding area.

Warden MacKenzie advised that the construction of a new facility would not necessarily dictate that another person be appointed to the Board of the Halifax County West Housing Authority.

Letter From the Minister of Transportation

A letter had been received from the Minister of Transportation acknowledging the Municipality's letter of August 17, respecting current speed limits in two areas of Halifax County; Route 349 (City Limits to Ketch Harbour) and the Sandy Cove Road - Terence Bay. This letter advised that Department of Transportation Staff will be reviewing the Municipality's request and will correspond further at a future date.

This letter was for information purposes only.

Letter From the Metropolitan Area Planning Commission (MAPC)

A letter, included in the Supplementary Agenda, had been received from MAPC relative to Regional Pollution Control in the Halifax Dartmouth Metro Area. This letter advised that MAPC has recommended that councils of the four participating municipalities endorse the following proposal:

That MAPC reactivate the Regional Pollution Control Advisory Group to:
(1) establish reasonable and acceptable levels of cleanliness in the receiving waters in the region; (2) to examine and determine the degree to which the various municipalities are meeting these standards; (3) to consider solutions to any problems that may be identified.

This letter continued, advising:

"The Advisory Group comprises engineering staff of the four municipalities plus staff representatives of the Metropolitan Authority, the Department of Municipal Affairs, and health and environment agencies.

It would be appreciated if you could arrange to have the matter considered by Council and designate a staff member to participate in the Advisory Group at the earliest possible date."

Councillor Baker advised that this would affect the problems being experienced in Herring Cove relative to sewage outflow into the Cove and spillages into McIntosh's run. He advised that he had been speaking with the Premier several days ago who had advised the Councillor at that time, that he would be speaking with Mayor Ron Wallace of the City of Halifax to suggest that the Province pay 65% of the cost of finding a solution to the problem with the understanding the City will pick up a portion of the cost and of course the Municipality as well as there are approximately 122 homes hooked up on the sewer line, within Municipal Boundaries.

Mr. Meech advised, in response to questioning from Councillor MacKay, that the Municipality's percentage of homes would be very slight in comparison to the thousands of homes from the City of Halifax which would be hooked into that system. Mr. Meech also advised that the City is of the position that before they are prepared to make any firm commitment to any work, they would like to have the original data that was produced in 1974 -- 1976 updated, so that if they are going to spend any money it will be spent in the right direction.

Mr. Meech advised that the County of Halifax would be the last Municipality to endorse this recommendation tonight and if the appropriate Provincial Agencies are also prepared to endorse it, then in effect, it would be six to nine months before the necessary data and information would be updated relative to the original proposal.

He further advised that if the Municipality did endorse the proposal, then Mr. Wdowiak would be the staff member, as Director of Engineering and Works, who would be participating with the Directors of Engineering and Works from Halifax, Dartmouth and Bedford, on the Advisory Group; as well there would be representation from the Departments of Environment and Health, at the Provincial level, as well as the Department of Municipal Affairs.

Councillor MacDonald questioned why the Regional Pollution Control Advisory Group had been discontinued in the first place. Mr. Meech replied that they had reached a point whereby there was a master plan or strategy as to how this issue of water-ways treatment was to be dealt with in the total Metropolitan Area. However, in the mid-70's the Federal Government changed its policy relative to providing Municipalities with assistance for infrastructure.

Warden MacKenzie advised that at the last Session of Council, he had been directed to meet with the Mayor of the City of Halifax with regard to the pollution problem presently being experienced in the Herring Cove area. This meeting took place on September 9th between the Mayor, Mr. Meech, Mr. Wdowiak, Paul Calda, CAO of the City of Halifax, Peter Connel, the Director of Engineering and Works for the City and himself. The approach taken by the Mayor at the meeting was that he would be in support of reactivating the Regional Pollution Control Advisory Group and further that this was to be communicated to all other Municipal Units.

The Warden advised that in the past few days he had received a copy of a letter that went to Mr. Mills, Chairman of the Herring Cove Ratepayer's Association. This letter advised: "The City of Halifax is not denying problems exist in pollution control. Our position is that we want all the data on the table before taking action. We do not intend to get involved in a project without first doing a study. Most of the information is available and only organizing and updating will be required." The Warden advised that this was one of the concerns of the Municipality; however, he had been assured that because this information was already available it would only take a short period of time to update it and to properly identify what the problem in the area is. Of course, since that time, this letter from MAPC had been received, requesting that the Municipality participate in the re-activating of the Regional Pollution Control Advisory Group.

The Deputy Warden Advised that when the City of Halifax annexed Spryfield, they annexed the system, leaving only 122 Halifax County homes on the sewer line. However, they then added homes and rearranged some of the waste water in various places and a number of situations have occurred where the system could not handle the waste. He felt that the Municipality should not be responsible for any more than the 122 homes it has on the pipeline. He did not feel that either the Municipality or the Town of Bedford should be expected to share in this cost; he felt that it was the two Cities who should be expected to pay for the solution of the pollution problem.

Councillor Eisenhauer advised that at the discussions at MAPC there was no decision as to whether the County of Halifax would be required to pay anything at this point in time.

Councillor MacDonald advised that, for the betterment of the residents in Herring Cove, the Municipality would certainly have to participate in the Regional Pollution Control Advisory Group in order to protect the Municipality's interest. He advised that if the Municipality did not participate it was possible that Halifax and Dartmouth would not be interested in going on with the study. Therefore, he felt it would be wise for the Municipality to participate in the Regional approach to it.

Subsequent to the above discussion,

It was moved by Deputy Warden Margeson, seconded by Councillor Deveaux

"THAT the Municipality participate in the reactivation of the Regional Pollution Control Advisory Group to (1) establish reasonable and acceptable levels of cleanliness in the receiving waters in the region; (2) to examine and determine the degree to which the various municipalities are meeting these standards; (3) to consider solutions to any problems that may be identified and further that Mr. Ed Wdowiak, the Director of Engineering and Works, be the Staff Representative of the Municipality on this Advisory Group."
Motion Carried.

This concluded the items of correspondence.

PLANNING ADVISORY COMMITTEE REPORT

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

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

Rezoning Application No. RA-EP-CB-16-83-06

Mr. Kelly outlined this item from the Planning Advisory Committee Report advising that PAC had heard a Staff presentation relative to an application to rezone Block XY-W, Kathleen B. Naugle and Lawrence Silver Subdivision, Shore Road, Eastern Passage from MR-Z (Fishing Industry) Zone to C-2 (General Business) Zone. The purpose of the request was to allow possibly three light commercial operations, two of which have been identified as (a) a barber shop and (b) a hair dressing boutique. The third use has not yet been determined. On the basis of positive comments received from the appropriate provincial agencies and recommendation of approval from County Planning & Development staff, the Committee recommends to Council that a Public Hearing be held October 17th to consider the request.

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

"THAT a Public Hearing be held October 17th, 1983 at 7:00 P.M. to deal with rezoning application no. RA-EP-CB16-83-06."
(See Motion to Amend)

As it was determined by Council that October 17th would not be a convenient date for the Hearing due to previous commitments of many Councillors, the following amendment was proposed.

It was amended by Councillor Poirier, seconded by Councillor McInroy:

"THAT the date for the Public Hearing be October 20, 1983."
Amendment Carried.

Therefore, the question was called on the motion as amended.

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

"THAT a Public Hearing be held October 20th, 1983 at 7:00 P.M. to deal with rezoning application no. RA-EP-CB-16-83-06."
Motion Carried.

It was also agreed by Council that the Public Hearings for the following recommended Rezoning Applications be October 20th, 1983.

Rezoning Application No. ZA-24-35-83

Mr. Kelly outlined this item from the Planning Advisory Committee Report as well, advising that PAC heard a staff report to amend the Municipality's Zoning By-Law No. 24 by creating the SC (Seasonal

Campground) Zone. The PAC Report advised that the Zoning By-Law presently allows campgrounds to be established under the T (Mobile Home Park) Zone. As this zone does not guarantee such establishments will not be used to accomodate mobile homes on a permanent basis, staff have proposed the SC Zone for the exclusive use of seasonal campgrounds for the general public. It was the recommendation of the Planning Advisory Committee that a Public Hearing be held October 20th, 1983 at 7:00 P.M.

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

"THAT a Public Hearing be held October 20th, 1983 at 7:00 P.M. to deal with Rezoning Application No. ZA-24-35-83."
Motion Carried.

Rezoning Application No. RA-CH-W-23-83-21

Mr. Kelly advised that this application was to rezone Lots 1155-1158 inclusive, Colby Village Subdivision, Autumn Drive, from R-2 Zone to R-1 Zone in order to provide a uniform type of housing accomodation along Autumn Place as well as to prevent the possibility of basement apartments being established in traditionally styled single family dwellings. It was the recommendation of PAC that a Public Hearing be held October 20th, 1983 to deal with this rezoning application.

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

"THAT a Public Hearing be held October 20, 1983 at 7:00 P.M. to deal with Rezoning Application No. RA-CH-W-23-83-21."
Motion Carried.

Forest Hills Planned Unit Development Agreement

Attached to the Council Agenda was a lengthy report relative to this item. (Please refer to Report, if additional information is required).

The sumamrized report of PAC read:

"At the September 12, 1983 meeting of the Planning Advisory Committee, Policy Division staff submitted a report entitled: "Report on Forest Hills Planned Unit Development and the Implications of Applying Cole Harbour-Westphal Zoning to the PUD Lands." This Report was prepared due to:

- a) concern during the municipal planning process which focused on the Forest Hills Planned Unit Deveopment Agreement. This agree-ment controls land use and development of approximately 963 acres of land owned by the Nova Scotia Housing Commission.
- b) On-going, long-standing problems with development control in terms of administration by the Municipality's Building and Development Divisions, as well, by the Nova Scotia Housing Commission, i.e. dual administration.
- c) recent discussions between municipal staff and the Nova Scotia Housing Commission in terms of future plans.

In concluding discussion by the Committee the following resolution was passed: A recommendation be submitted to Council requesting Council to forward this document to the Nova Scotia Housing Commission and the Cole Harbour-Westphal Service Commission for comment.

Note: The intention of the foregoing resolution was to give the Nova Scotia Housing Commission and the Cole Harbour-Westphal Service Commission approximately six weeks to respond, at which time the Committee will set up a meeting to discuss the document with representatives from both of these agencies."

Prior to discussion of the above Report, Councillor DeRoche correctly identified the Service Commission as, "The Westphal-Cole Harbour Service Commission" and requested that it be properly identified in future.

Councillor McInroy requested that, as he was employed by the N.S.H.C., he be exempted from discussion and vote on this issue, as it would represent a Conflict of Interest.

Warden MacKenzie agreed that Councillor McInroy be exempted from the discussion and vote on the Forest Hills PUD Agreement.

Subsequent to brief discussion,

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

"THAT the Report entitled: "Report on Forest Hills Planned Unit Development and the Implications of Applying Cole Harbour-Westphal Zoning to the PUD Lands" be forwarded to the Nova Scotia Housing Commission and the Westphal-Cole Harbour Service Commission for comment within six weeks, at which time PAC will set up a meeting to discuss the document with representatives from both of these agencies."

Motion Carried.

REPORT OF THE DIRECTOR OF DEVELOPMENT

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

"THAT the Report of the Director of Development be received."

Motion Carried.

MANAGEMENT COMMITTEE REPORT

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

"THAT the Management Committee Report be received."

Motion Carried.

Plumbing Inspection

Mr. Kelly outlined this item from the Management Committee Report, advising: The Management Committee discussed the matter of implementing plumbing inspection in the Municipality. The Management Committee recommend to Council that the Municipality implement Plumbing Inspection either by engaging plumbing inspector (s) or by expanding the responsibility of the Building Inspector (s).

Subsequent to very brief discussion,

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

"THAT Staff prepare a Report for the Council Session of October 4th, outlining the impact of the Management Committee recommendation, relative to Plumbing Inspection."
Motion Carried.

Grant - Dartmouth General Hospital

Mr. Kelly read to Council the Management Committee Report relative to this item, as follows:

"The Management Committee discussed a request from the Dartmouth General Hospital for a grant for the year 1983.

The Municipality has provided an annual grant of \$10,000 to the Dartmouth General Hospital during the past six (6) years.

The Committee also received a request for increased capital funding for the Dartmouth General Hospital over the next several years beginning in 1984. The Policy Committee has also been requested to review this issue and will meet with representatives of the Hospital prior to making a recommendation to Council with respect to long term capital funding.

The Management Committee recommend to Council for approval a capital grant in the amount of \$10,000 be provided to the Dartmouth General Hospital for the year 1983."

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

"THAT a Capital Grant in the amount of \$10,000 be allocated to the Dartmouth General Hospital for 1983."

This item was discussed at length by Council; one of the main concerns as expressed by Councillor Walker was that this amount had not been budgeted for and he questioned where the money would come from.

Mr. Meech advised that with all the extra requests which have been approved todate, above the budgeted amount, this additional amount would put the Municipality over its grant budget by approximately \$11,500.00.

Councillor Poirier, as a member of the Management Committee was familiar with the additional request from the Hospital which she wished to make all Council aware of. She indicated that the Hospital was also requesting that the Municipality participate in a total grant of \$350,000 per year for nine years; the Municipality's portion of this request, based on the percentage of County patients treated at the Hospital would be 20% of the above amount, approximately \$70,000 per year for nine years. She also advised that the City of Dartmouth had made the commitment for its portion of the \$350,000.00 per year, only if the Municipality were approached for the rest.

Councillor Walker questioned how many Hospitals were within the boundaries of the Municipality and how much money is granted to these Hospitals. He was advised by Mr. Meech, that there are presently three Hospitals in the Municipality; The Sheet Harbour Hospital, The Musquodoboit Hospital and the Middle Musquodoboit Hospital. He advised that no monies have been granted to any of the above-mentioned Hospitals in 1983; the last grant to a Hospital was a small amount to the Middle Musquodoboit Hospital in '81 or '82, and this had been a special commitment.

Mr. Meech also advised that the Municipality had been solicited for a commitment of \$6,000 per annum for six years for the Grace Maternity Hospital (commitment now concluded) at the time that this Hospital had expanded its facilities. As well, Mr. Meech seemed to recall that some monies may have been contributed to the Izaak Walton Killam Hospital for Children at one time.

Councillor Walker then questioned how much money the Municipality contributes toward the Department of Public Health; he was advised by Mr. Meech that the Municipality contributes, on a per capita basis, approximately \$100,000 per year.

Councillor Walker indicated his opinion that it was much more than this amount; however, he indicated that he would not be supporting the motion and further that the grant system should be reviewed. Councillor Walker also indicated his opinion that to fund Hospitals was stepping beyond the Municipality's boundaries.

Warden MacKenzie advised that if the Municipality was stepping beyond its boundaries, the Department of Municipal Affairs would advise of this fact.

Councillor Lichter expressed his concern that in this Province everyone was paying a 10% Health Tax as well as Federal Taxes toward Health Care and above and beyond that, extra billing for medical services is now being considered. He felt that this was adequate.

However, subsequent to the above discussion, the question was called on the motion.

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

"THAT a Capital Grant in the amount of \$10,000 be allocated to the Dartmouth General Hospital in 1983."
Motion Carried.

This concluded the Management Committee Report.

PUBLIC HEARING

Warden MacKenzie outlined to those present in the Council Chambers, the procedure to be followed for a Public Hearing.

Proposed Amendment to the Zoning By-Law for Sackville

Warden MacKenzie then indicated that this Public Hearing was being held to consider a proposed amendment to the Zoning By-Law for Sackville which would permit Automotive Repair Shops in the C-2 (General Business) Zone.

Staff Report

Mr. Dave Harrison, Staff Planner, approached Council to outlined the Staff Report relative to this proposed amendment. As well, Mr. Birch was present in the Council Chambers.

Mr. Harrison read to Council the Staff Report, advising:

"Following a recent land-use by-law amendment in Cole Harbour - Westphal, interest has been expressed in the development of a specialized automotive repair outlet along Highway No. 1 in Sackville.

At present, the C-2 (General Business) Zone permits a wide range of commercial uses by right, including welding shops, shopping malls, fuel distribution facilities, taxi and bus depots, and service stations. However, the land-use by-law is silent with respect to specialized automotive repairs, which effectively precludes the development of such operations in Sackville. There is no justification for excluding automotive repair outlets from the C-2 Zone, and their inclusion will be in keeping with the intent of the General Commercial Designation set forth in the Sackville Municipal Development Plan. The Department of Planning and Development therefore recommends:

THAT the Sackville Land-Use By-Law be amended as follows:

1. By adding immediately after Section 2.61 of PART 2 the following:
 - 2.62 AUTOMOTIVE REPAIR OUTLET means a building or part of a building or a clearly defined space on a lot used for minor repair of motor vehicles and may include muffler, brake, radiator, tire and glass replacement, wheel alignment and other customizing activities directly related to the repair or alteration of motor vehicles but shall not include paint and body repairs, the manufacture or fabrication of motor vehicle parts for the purpose of sale, or the retailing of gasoline or other fuels.

2. By adding immediately after the last commercial land use activity listed in 13.1 of PART 13 the words "Automotive Repair Outlets".

Mr. Harrison also advised Council that the Public Hearing for the proposed amendment had been advertised as per the provisions of the Planning Act and that no correspondence had been received, either in favour or in opposition to the advertisement.

Deputy Warden Margeson questioned whether the definition of Automotive Repair Outlet would cover an Engine Job; he felt that "minor repair" ... did not constitute an Engine Job as this would really be more of a "major repair".

However, Mr. Harrison advised that it was intended to also include engine jobs and repairs.

The Deputy Warden suggested that this should be spelled out more clearly. This suggestion initiated lengthy discussion in which other Councillors suggested other changes to the wording of the definition of Automotive Repair Outlet.

Councillor Wiseman advised that there was a paint and body shop on the Number one Highway in the C-2 Zone; according to this definition, she questioned whether that shop would be nonconforming. She also indicated that this shop is a reputable business.

Mr. Harrison advised that if the shop was in existence prior to the MDP coming into effect, then his status would not be affected but he would be a legal non-conforming use.

Councillor MacKay asked Mr. Birch, who was also present, what the procedure would be for someone applying to construct a building in the C-2 Zone.

Mr. Birch advised that the applicant would first require a Development Permit. To obtain this he would apply to the Development Department and indicate whether or not the intended use is a permitted use in a C-2 Zone. Subsequent to that, he would apply to the Building Department for a Building Permit and provided that he meets with the provisions set out in the Building Code, he will receive the Building Permit.

Councillor MacKay then questioned what documents the Development Department and the Building Department would consult in order to determine whether an intended use is a permitted use in a particular zone.

Mr. Birch replied that the Development Department would consult the Zoning By-Law and the Building Department would consult with the Department of Engineering and Works, and possibly, if applicable, the Department of Transportation, Health, or even the Department of the Environment and most likely the Fire Marshall's Department.

Councillor MacKay questioned whether the Municipal Development Plan for the area would be consulted and Mr. Birch replied that "it would not normally be considered".

Councillor MacKay indicated his opinion that businesses should be established within the intent of the MDP's; otherwise, there was little reason to work for years on the Plans, if they were going to be ignored by Staff.

Deputy Warden Margeson referred to a portion of the Staff Report which stated, "the land-use by-law is silent with respect to specialized automotive repairs, which effectively precludes the development of such operations in Sackville." The Deputy Warden then indicated his opinion that no document should be "silent" in any issue or definition, but each permitted use should be clearly identified in layman's language. He indicated that the By-Law was "silent" with regard to the use of a "cabaret" resulting in a recent proposal which was not well received in the Sackville Community.

Subsequent to the above discussion, Warden MacKenzie opened the Public Portion of the Hearing.

Speakers In Favour

None.

Speakers in Opposition

None.

Motion and Discussion of Council

The wording of the definition of "Automotive Repair Outlet" was debated at length by Council, resulting in the following motion:

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

"BE IT RESOLVED that the following be and the same is hereby adopted and enacted as an amendment to the Zoning By-Law for Sackville: (1) By adding immediately after Section 2.61 of PART 2 the following: 2.62 AUTOMOTIVE REPAIR OUTLET means a building or part of a building or a clearly defined space on a lot used for repair and service of motor vehicles and may include muffler, brake, radiator, tire and glass replacement, wheel alignment, and other specialized activities directly related to the repair or alteration of motor vehicles but shall not include paint and body repairs, the manufacture or fabrication of motor vehicle parts for the purpose of sale, or the retailing of gasoline or other fuels. (2) By adding immediately after the last commercial land use activity listed in 13.1 of PART 13 the words "Automotive Repair Outlets"."
(See Motion to Amend).

It was still felt by some Councillors that the above motion which included changes to the original suggestion of Staff did not address the question of repair to engines; therefore, the following amendment was proposed:

It was amended by Councillor Mont, seconded by Councillor Adams:

"THAT the word "engine" be inserted between "radiator," and "tire"."

Amendment Carried.

Subsequently, the question was called on the motion as amended.

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

"BE IT RESOLVED that the following be and the same is hereby adopted and enacted as an amendment to the Zoning By-Law for Sackville: (1) By adding immediately after Section 2.61 of PART 2 the following: 2.62 AUTOMOTIVE REPAIR OUTLET means a building or part of a building or a clearly defined space on a lot used for repair and service of motor vehicles and may include muffler, brake, radiator, engine, tire and glass replacement, wheel alignment, and other specialized activities directly related to the repair or alteration of motor vehicles but shall not include paint and body repairs, the manufacture or fabrication of motor vehicle parts for the purpose of sale, or the retailing of gasoline or other fuels. (2) By adding immediately after the last commercial land use activity listed in 13.1 of PART 13 the words "Automotive Repair Outlets"."

Motion Carried.

Subsequent to the above, Mr. Harrison and Mr. Birch retired from the Council Session.

POLICY COMMITTEE REPORT

It was moved by Councillor Larsen, seconded by Councillor Gaetz:

"THAT the Policy Committee Report be received."
Motion Carried.

Request for District Capital Grant, District 10

Mr. Meech outlined this item advising that the Policy Committee had received a request for a District Capital Grant, District 10 in the amount of \$2,000. toward the purchase of communication equipment for the Musquodoboit Harbour Volunteer Fire Department. Subsequent to discussion of the request it was the recommendation of the Policy Committee that this District Grant Request be approved.

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

"THAT Council approve a District No. 10 Capital Grant of \$2,000.00 for the Musquodoboit Harbour Volunteer Fire Department toward the purchase of communication equipment."
Motion Carried.

By-Law Amendments

Mr. Meech advised that the Policy Committee had received proposed By-Law Amendments, recommended by the By-Law Review Committee and prepared by Mr. Cragg, Municipal Solicitor. The Policy Committee Report referred to these By-Laws as Nos. 16, 18, 10 and 2; however, there was a typographical error in the Report and it was clarified that the amendments were for By-Laws Nos. 16, 17, 19 and 2. This error was brought to Council's attention by Councillor DeRoche.

Mr. Meech outlined the amendments as follows:

By-Law No. 16 - Penalties By-Law: This By-Law would be amended in Section 3, where it is indicated that a penalty of \$100 or 6 days be applied, to now indicate, not less than \$100 and not exceeding \$1000. This would be for By-Laws that did not have their own penalty clause.

As well Section 5 of the By-Law would be repealed. This section presently indicated that one could only be imprisoned in a jail located in the Municipality and maintained and operated by the Halifax Dartmouth Regional Authority, for the violation of a By-Law.

It was noted that there was also a typographical error in the By-Law as included in the agenda. On the third line in Section 3 the word "not" should be added immediately after the word "of".

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

"THAT the amendments to By-Law No. 16, The Penalties By-Law be approved as recommended by the Policy Committee, inclusive of adding the word "not" where specified by Mr. Meech."
Motion Carried.

By-Law No. 17 - By-Law Respecting Parking on Municipal Property: This By-Law would be amended in Section 3(ii) by deleting the words "Municipal School Board" and substituting "Halifax County Bedford District School Board". (self explanatory)

As well, Section 5 of this By-Law would be amended by deleting the word "five" and substituting it with "fifteen". This would have the effect of increasing the cost of a parking ticket from \$5.00 to \$15.00 for illegally parking on Municipal property.

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

"THAT the amendments to By-Law No. 17, By-Law Respecting Parking on Municipal Property, be approved as recommended by the Policy Committee."
Motion Carried.