

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES JANUARY 27, 1998

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

REGRETS: Councillor Stephen Adams

STAFF MEMBERS: Mr. Ken Meech, Chief Administrative Officer
Mr. Barry Allen, Acting Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Jane Nauss, Assistant Municipal Clerk

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1. INVOCATION

Mayor Fitzgerald called the meeting to order with the Invocation at 6:00 p.m.

FIRST LAKE ECHO SCOUT TROUP

Mayor Fitzgerald introduced the First Lake Echo Scout Troup who were in attendance at the Council Session this evening. The Scouts were working towards their Civic Badge. The Scout Leaders and parent escorts were introduced to Council.

2. PROCLAMATIONS - None

3. APPROVAL OF MINUTES - January 6 and 13, 1998

MOVED by Councillors Hetherington and Blumenthal to adopt the minutes of January 6 and 13, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

4. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The Municipal Clerk requested the following additions to the agenda:

- 13.1** Report from the Chair of the Membership Selection Committee re: Membership Selection - Boards, Committees and Commissions
- 13.2** Ratification - Appointments - Halifax-Dartmouth Port Development Commission
- 13.3** Ratification - Lease - Bayers Lake Business Park

The Municipal Clerk also requested the following addition to the Information Agenda:

Memorandum from Acting Commissioner of Regional Operations dated January 27, 1998 re: Proposed Food Bank Location, Civic Nos. 213-217 Bedford Highway.

Councillor Mitchell enquired if agenda item 9.2.6 could be discussed at this point in the meeting as he had to leave the meeting early.

MOVED by Councillors Greenough and Hetherington to approve the Order of Business, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

It had been agreed to discuss item 9.2.6 at this point in the meeting.

9.2 COMMITTEE OF THE WHOLE

**9.2.6 Memorial Stone - Norwegian Merchant Navy and the Royal
Norwegian Navy and Army - Sackville Landing Park**

MOVED by Councillors Mitchell and Snow, as recommended by the Committee of the Whole, that Council:

Approve the placing of the Norwegian Memorial Stone, as described in the documents attached to the staff report dated January 6, 1998, at Sackville Landing Park at no cost to Halifax Regional Municipality. This includes no future maintenance costs to HRM;

The Norwegian Memorial Stone be located approximately 40' south of the Canadian Merchant Navy Memorial and be sited exactly as per the direction of HRM and that the installation meet the prescribed HRM Engineering Standards and requirements;

Halifax Regional Council direct staff to prepare a simplistic Letter of Agreement with the local Norwegian Representatives regarding the future care and maintenance of the stone. MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING OUT OF THE MINUTES - None

6. MOTIONS OF RECONSIDERATION - None

7. MOTIONS OF RESCISSION - None

8. CONSIDERATION OF DEFERRED BUSINESS

**8.1 Eastern Passage/Cow Bay Municipal Planning Strategy Policy
Review Process (supplementary report)**

- A supplementary report prepared for Mr. Dan English, Commissioner, Community Services, on the above-noted, was before Council. A supplementary report prepared for Mr. Wayne Anstey, Solicitor, was also before Council.

Ms. Donna Davis-Lohnes, Manager, Planning Applications, reviewed the report, noting a decision on the proposed amendments had been deferred from the Public Hearing held on January 20, 1998, pending a review, by staff, of suggested wording changes.

MOVED by Councillors McInroy and Schofield to approve the amendments to the Municipal Planning Strategy and Land Use By-Law for Eastern Passage/Cow Bay and the Subdivision By-Law for the former Halifax County as shown in Attachments 1 through 10 inclusive, of the staff report dated September 18, 1997, with the revisions as noted in the supplementary report dated January 27, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

At this point in the meeting, Mayor Fitzgerald welcomed and introduced former Mayor of the City of Dartmouth, Ms. Gloria McCluskey.

9. MEMBERS OF COUNCIL

9.1 Councillor Kelly - Bedford Survey

Councillor Kelly addressed Council submitting the Seventh Annual Survey, on behalf of the community of Bedford. Councillor Kelly noted the Survey was undertaken in December, 1997, and had been distributed to 1000 homes, with a 46% response rate. As a result of the feedback from the community, the Councillor requested the following information from staff:

- Regional Operations to take into consideration comments from residents as they pertain to increasing traffic levels on the Bedford Highway;
- Police Services to take into consideration a decrease in policing services in District 21;

Further, that the Mayor forward correspondence to the Premier, to be copied to the Minister of Education, and the MLA for District 21, requesting a time frame as to when the Province will address overcrowding of schools, particularly in the areas of Hammonds Plains, Bedford, Waverley and Wellington;

Further, that the Mayor forward correspondence to the Minister of Housing and Municipal Affairs, expressing concerns raised by the residents of District 21, as they pertain to being forced into the recent amalgamation. Further, that a formal request be made to the removal of Section 385 of the draft Municipal Government Act, which states that "A Town may not be incorporated in a regional municipality or in a town."

There was a consensus from Council that the above-noted staff reports be prepared, and that correspondence, as requested, be forwarded to the Province.

Councillor Mitchell left the meeting at this point in time (6:15 p.m.).

9.2 COMMITTEE OF THE WHOLE CON'T

9.2.1 Heritage Incentive Program

MOVED by Councillors Epstein and Downey, as recommended by the Committee of the Whole, that the matter of reinstating the Heritage Incentive Program be referred to upcoming Operating Budget deliberations. MOTION PUT AND PASSED.

9.2.2 PA-DAR-04-97 - AMEND THE MPS FOR DARTMOUTH TO PERMIT REZONING OF WRIGHT'S COVE FROM I-3

At a meeting of the Committee of the Whole, a recommendation had been made to initiate a plan amendment process to review the plan policies and Map 3 of the Municipal Development Plan for Dartmouth concerning the area between Wright's Cove and Navy Island. Further, that public participation be undertaken in accordance with the public participation resolution adopted by Regional Council on February 25, 1997.

Mr. Stephen Feist, Planner, addressed Council, stating the recommendation should be amended to include "Windmill Road.

MOVED by Councillors Schofield and Hetherington, as recommended by the Committee of the Whole, that Council initiate a plan amendment process to review the plan policies and Map 3 of the Municipal Development Plan for Dartmouth concerning the area between Windmill Road, Wright's Cove and Navy Island. Further, that public participation be undertaken in accordance with the public participation resolution adopted by Regional Council on February 25, 1997. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.3 Revisions - Terms of Reference for MPS Strategy Review for Hammonds Plains, Beaver Bank and Upper Sackville

MOVED by Councillors Rankin and Barnet, as recommended by the Committee of the Whole, that Council adopt the revised terms of reference for the plan review process for Hammonds Plains, Beaver Bank and Upper Sackville as contained in Appendix 'A' of the staff report dated January 2, 1998, to:

- 1. Extend the time frame for the Area Advisory Committee's consideration of the plan review issues until the end of November, 1998; and**
- 2. Change the composition of the Area Advisory Committee by reducing the number of North West PAC representatives from three to two and increasing the number of Hammonds Plains representatives from two to**

three. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.4 Award of Tender 97-183: One (1) 1997/98 Street Sweeper

MOVED by Councillors Greenough and Hetherington, as recommended by the Committee of the Whole, that Council award Tender 97-138 for one (1) street sweeper for Fleet Services, to the lowest bidder, Saunders Equipment, at a total tender price (1) including taxes of \$213,656.20. Funds will be taken from 1997/98 Capital Budget Account #02-95118-6710. **MOTION PUT AND PASSED.**

9.2.5 Award of Tender 97-139: Three (3) 1997/98 Model 4x4 Regular Cab Truck Complete with Snow Plow Package

MOVED by Councillors Hetherington and Greenough, as recommended by the Committee of the Whole, that Council award Tender 97-139 for two (2) 4x4 regular cab trucks, with plow and assembly and 4WD chassis, to the low bidder Carroll Pontiac Buick GMC at a total tender price (2 units) including taxes of \$69,273.70; and

to award Tender 97-139 for one (1) 4x4 regular cab truck, without plow and assembly, to the low bidder Carroll Pontiac Buick GMC at a tender price (1 unit) including taxes of \$30,450.85.

Funds will be taken from 1997/98 Capital Budget Vehicle Replacement Account #02-95118-6710. **MOTION PUT AND PASSED.**

9.2.6 Memorial Stone - Norwegian Merchant Navy

This was discussed at the commencement of the meeting.

9.2.7 Metro Food Bank Society

The following recommendation was made to Council by the Committee of the Whole:

“... to instruct staff to negotiate a lease-to-purchase agreement with the Metro Food Bank Society for the property at 213-217 Bedford Highway (the former W.N. White property) and make appropriate recommendations to Council at an early date, so that these arrangements may be speedily concluded. Further, that Traffic Authority staff determine if this location is appropriate for tractor trailer movement.

Councillor Kelly requested that the recommendation be amended to include the Province in negotiations.

MOVED by Councillors Hetherington and Schofield to instruct staff to negotiate a lease-to-purchase agreement with the Metro Food Bank Society for the property at 213-217 Bedford Highway (the former W.N. White property) and make appropriate recommendations to Council at an early date, so that these arrangements may be speedily concluded. Further, that Traffic Authority staff determine if this location is appropriate for tractor trailer movement. Further, that staff invite the Province to the negotiating table. **MOTION PUT AND PASSED UNANIMOUSLY.**

9.2.8 Former School Board Offices - 1649 Brunswick Street

MOVED by Councillors Downey and Blumenthal, as recommended by the Committee of the Whole, that Council:

1. **Declare the property at 1649 Brunswick Street (the former School Board offices) surplus to the Municipality's requirements;**
2. **Authorize staff to arrange for the sale of the property, by calling for proposals, utilizing existing HRM staff, in a manner that will ensure its future protection, with the final transaction subject to Council's approval; and**
3. **Request the Heritage Advisory Committee to advise at an early date on appropriate action to ensure the future protection of the property. MOTION PUT AND PASSED UNANIMOUSLY.**

9.2.9 Abolition of Nuclear Weapons in the World

MOVED by Councillors Greenough and Blumenthal, as recommended by the Committee of the Whole, that Council call upon the Government of Canada and all nations to immediately negotiate a convention before the year 2000 which sets out a binding timetable for the abolition of all nuclear weapons in the world. **MOTION PUT AND PASSED UNANIMOUSLY.**

9.2.10

By-Law for Banning Smoking in Malls

MOVED by Councillors Hetherington and Greenough, as recommended by the Committee of the Whole, that Council forward concerns raised by Mr. Nazareth Yemane, CIAU CAFE, to the Smoking By-Law Work Group. Further, that Mr. Yemane's concerns be addressed prior to the Group forwarding its report to Council in April, 1998. **MOTION PUT AND PASSED UNANIMOUSLY.**

9.2.11

Report from Harbour East Community Council re: Dartmouth Lakes Advisory Board and Halifax County Watershed Advisory Board

MOVED by Councillors Greenough and Cooper, as recommended by the Committee of the Whole, that Council approve the adoption of the Dartmouth Lakes Advisory Board and the Halifax County Watershed Advisory Board as Advisory Committees to the Harbour East Community Council. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.12

Report from Harbour East Community Council re: Application on behalf of Irving Oil Limited to amend the Boundary Line between the Municipal Planning Strategies for Dartmouth and Cole Harbour/Westphal (set date for public hearing)

MOVED by Councillors Cooper and Sarto, as recommended by the Committee of the Whole, that Council set a public hearing date for March 3, 1998 regarding an application on behalf of Irving Oil Limited to amend the Boundary Line between the Municipal Planning Strategies for Dartmouth and Cole Harbour/Westphal,. MOTION PUT AND PASSED UNANIMOUSLY.

9.3 SOLID WASTE/RESOURCE ADVISORY COMMITTEE

9.3.1 Establishment of a Construction, Demolition and Renovation (CD&R) Waste Management Strategy

- A memorandum prepared for Deputy Mayor Reg Rankin, Chair, Solid Waste/Resource Advisory Committee, on the above-noted, was before Council.

MOVED by Deputy Mayor Rankin and Hendsbee to approve the recommendations contained within the January 22, 1998 report and direct staff to proceed with amendments to applicable municipal by-laws to implement a management framework for construction, demolition and renovation waste. MOTION PUT AND PASSED UNANIMOUSLY.

9.3.2 Materials Recycling Facility - Three Month Extension of Contract with HRDA Enterprises Ltd. (Enviro Care Services) Request for Proposals #98-016 - Operations and Expansion of MRF, and Evaluation Criteria

- A memorandum prepared for Deputy Mayor Reg Rankin, Chair, Solid Waste/Resource Advisory Committee, on the above-noted, was before Council.

MOVED by Deputy Mayor Rankin and Councillor Uteck to adopt:

- (a) a three month extension of the materials processing and marketing contract with HRDA Enterprises (Enviro Care Services) to June 30, 1998 at the existing payment rate as defined in the tender document; and;
- (b) approval of the evaluation criteria for Request for Proposal #98-016, Operations and Expansion of Materials Recycling Facility. **MOTION PUT AND PASSED UNANIMOUSLY.**

9.4 CHIEF ADMINISTRATIVE OFFICER

9.4.1 First Reading By-Law S-400 Respecting Charges for New Street Improvements

A memorandum prepared for Mr. George McLellan, Commissioner, Regional Operations, on the above-noted, was before Council.

MOVED by Councillors Stone and Hanson to give First Reading to By-Law S-400 Respecting Charges for New Street Improvements. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Cooper suggested further deliberation on the draft by-law should be discussed during Committee of the Whole, prior to considering Second Reading.

There was a consensus of Council to forward this draft by-law to a Committee of the Whole meeting for further discussion, prior to going for Second Reading.

10. PUBLIC HEARING

10.1 Second Reading By-Law P-304 Respecting the City of Dartmouth Employees' Retirement Pension Plan

- A memorandum prepared for Mr. Larry Corrigan, Commissioner, Corporate Services, on the above-noted, was before Council.

MOVED by Councillors Greenough and Hetherington to give Second Reading to By-Law P-304 Respecting the City of Dartmouth Employees' Retirement Pension Plan.

Mayor Fitzgerald called three times for comments from the public. There were none.

MOVED by Councillors Hetherington and Greenough to close the public hearing. MOTION PUT AND PASSED UNANIMOUSLY.

A vote on Second Reading took place.

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Schofield requested a listing of all the pension plans, with a list of those that are indexed and those that are not.

In response to an enquiry from Councillor Cunningham if overtime was included, Councillor Greenough suggested that perhaps those individuals who manage the Pension Plans should comment on this.

It was agreed to not consider Third Reading on this date, pending a report from staff as requested above.

11. CORRESPONDENCE, PETITION

11.1 Petitions

Councillor Harvey submitted a petition from residents in the Stonemount Subdivision, to the Municipal Clerk. The Councillor requested the petition, which pertained to a cost shared paving project, be forwarded to Regional Operations.

12. MOTIONS- None

13. ADDED ITEMS

13.1 Report from the Chair of the Membership Selection Committee re Membership Selection - Boards, Committees, and Commissions

- A memorandum prepared for Mayor Fitzgerald on the above-noted, was before Council.

MOVED by Councillors Dooks and Hetherington that the deadline be extended to February 24, 1998 for Council to receive the board and committee membership recommendations from the Membership Selection Committee. MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Ratification - Appointments - Halifax-Dartmouth Port Development Commission

MOVED by Councillors Greenough and Hetherington to ratify the nomination of Bernard Miller, Halifax International Airport Authority, and Michael MacDonald, Greater Halifax Partnership, to the Halifax-Dartmouth Port Development

Commission. MOTION PUT AND PASSED.

13.3 Ratification - Lease - Bayers Lake Business Park

MOVED by Councillors Stone and Greenough to ratify a decision made In Camera on "Lease - Bayers Lake Business Park." MOTION PUT AND PASSED UNANIMOUSLY.

14. NOTICES OF MOTION - None

15. ADJOURNMENT

MOVED by Councillors Greenough and Hetherington to adjourn the meeting at 6:50 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
MUNICIPAL CLERK

