

# **HALIFAX REGIONAL MUNICIPALITY**

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## **HALIFAX REGIONAL COUNCIL MINUTES August 15, 2000**

**PRESENT:** Mayor Walter Fitzgerald  
Deputy Mayor John Cunningham  
Councillors: Stephen Streach  
Gordon R. Snow  
Keith Colwell  
Ron Cooper  
Harry McInroy  
Jack Greenough  
Condo Sarto  
Bruce Hetherington  
Clint Schofield  
Jerry Blumenthal  
Graham L. Downey  
Sue Uteck  
Sheila Fougere  
Bill Stone  
Graham Read  
Stephen D. Adams  
David Merrigan  
Bob Harvey  
Peter Kelly  
Reg Rankin  
Jack Mitchell

**REGRETS:** Councillor Russell Walker

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

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1. **INVOCATION**

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

**ACKNOWLEDGEMENT:**

Mayor Fitzgerald expressed appreciation and thanks to the Hon. Alan Abraham, Chair, Tall Ships Nova Scotia, members of the Board, volunteers and staff for their efforts and work during the very successful Tall Ships 2000 event. On behalf of the Board, Mr. Abraham expressed thanks to Mayor Fitzgerald, Council and staff for their support during the event, as well as the four years leading up to it.

2. **PROCLAMATIONS - NONE**

3. **APPROVAL OF MINUTES - JULY 4 & 11, 2000**

Councillor Fougere requested that Item 11.1.6 on Page 10 of the July 11, 2000 minutes be amended to reflect two separate items: 1) landscaping, and, 2) snow and ice by-law infractions. The Councillor stated a citation under the Snow and Ice By-Law cannot be appealed through the Dangerous and Unightly Premises Committee, as stated in the July 11 minutes. The property owners are given a time frame in which to clean up the property. Landscaping issues are also given a time frame under Dangerous and Unightly Premises. Councillor Fougere stated the two issues are similar in that they are given a time frame, and once that time frame has gone by, the issues have disappeared or else the season has expired. The motion is to look at ways these two different issues can be addressed as they are similar in nature. Councillor Fougere requested that the minutes be amended to reflect separation of these matters.

Councillor Mitchell requested that the names of the members of the Western Region Advisory Committee be added to paragraph 4 on Page 32 of the July 4th minutes.

**MOVED by Councillors Blumenthal and Hetherington that the minutes of July 4 & 11, 2000, be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

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

The following items were added to the agenda:

- 13.1 Councillor Streach - Request to move Information Item #18 (Memorandum from Project Manager, Civic Address Project re: Request to List Markland in the Gazetteer of Canada) to regular Council agenda for discussion

- 13.2 Councillor Hetherington - Sheraton Casino - Bingo Games
- 13.3 Report - Crosswalk Safety, Kearney Lake Road - Additional Crossing Guards Request
- 13.4 Report - Case 00212, Petition to Rezone Properties on Atlantic Street, Brussels Street and MacLean Street from R-2A (General Residential Conversion) and R-2 (Two Family Dwelling) to R-1 (Single Family Dwelling) - Halifax (District 13)
- 13.5 Property Matter - 2173 Barrington Street
- 13.6 Property Matter - Parkland Drive Extension
- 13.7 Property Matter - Sale of Portion of HRM Property at the Corner of Inglis and Barrington Streets
- 13.8 Councillor Cooper - Information Item #19 - Memorandum from Chief of Police dated August 8, 2000 re: Crossing Guard Request
- 13.9 Councillor Adams - Halifax West and J. L. Ilesley High Schools

Councillor Read requested that Information Item #4 - Memorandum from Director, Public Works and Transportation Services, dated August 2, 2000 re: Request for Painted Crosswalk - Lower Water Street at Prince Street, be put on the regular agenda for the August 29, 2000 meeting.

Councillor Streach requested that Item 13.1 be moved up on the agenda to follow the Public Hearings.

**MOVED by Councillors Blumenthal and Hetherington that the Order of Business and Additions and Deletions, be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

- 5. **BUSINESS ARISING FROM THE MINUTES - NONE**
- 6. **MOTIONS OF RECONSIDERATION - NONE**
- 7. **MOTIONS OF RESCISSION - NONE**
- 8. **CONSIDERATION OF DEFERRED BUSINESS**
- 8.1 **Upgrading of Stone & Oil Chipsealed Streets**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration. The report recommended that Council approve:
  1. The Local Improvement Charge for the upgrading of chipsealed streets to pavement as described within the Discussion Section of the staff report dated July 25, 2000.
  2. The list of streets for upgrading to pavement for the fiscal year 2000/01 as outlined in the staff report dated June 26, 2000.

Councillor Uteck noted there are 33 chipsealed streets in her District. The Councillor stated it is her understanding that an agreement had been reached that if these streets were in an age bracket of 25-30 years as a chipsealed street, the street would be done free of charge. Staff would rate these streets in order of their priorities, and if a particular street wanted to be moved up on the list, the residents would be subject to a Local Improvement Charge.

**MOVED by Councillors Uteck and Blumenthal that chipsealed streets be prioritized for paving in order of their needs, and that any street wishing to be moved up on the priority list would be subject to the Local Improvement Charge of \$9.33 per foot frontage.**

Councillor Fougere spoke in support of the motion stating there are similar concerns with the 44 chipsealed streets in District 14. The Councillor stated there is no substantial difference between chipsealed and paved streets after 40-50 successive years of chipsealing. Councillor Fougere stated the residents are paying taxes at a rate for paved streets, and the gain of paving would be for the Municipality in lower maintenance costs.

Also speaking in support of the motion, Councillor Blumenthal stated residents of his District who live on chipsealed streets do not believe there is a difference between chipsealing and paving and should not have to pay for it. The Councillor noted a typographical error in Schedule A of the report, stating Roslyn Drive should read Roslyn Road.

Councillor Stone stated if chipsealed streets are to be paved, the work should be spread throughout the Districts and not just on the Peninsula. The Councillor noted that some of the chipsealed streets in many places do not have curb and gutter, so there is a need for some sort of Local Improvement charge for this component.

Councillor Cooper asked for clarification of the intent of the motion, asking if it is intended that the motion will apply to the pavement portion of these streets, and any upgrading of curb, etc., would still be rated as a Local Improvement Charge or area rate. Further, that

these streets will now come under the grading system used by the Municipality, and, as they meet the criteria, they would be done. Both the Mover and Seconder indicated that this is the intent of the motion.

Councillor Merrigan stated there is a policy in place with respect to upgrading streets, sidewalks and curbs, and no portion should be changed without re-examining the entire policy.

Responding to a question of Councillor Read, Mr. Kulvinder Dhillon, Director, Public Works and Transportation, stated some of the chipsealed roads are in reasonably good condition, while others will require complete reconstruction. The decision whether to re-pave or to totally reconstruct a street will depend on its condition.

Councillor Fougere noted in some cases asphalt streets have also needed to be reconstructed, and this was done at no expense to the abutting owners. The Councillor reiterated there is no appreciable difference between asphalt and chipsealed streets in Peninsular Halifax, and, therefore, the improvement is insignificant to the property owners. Councillor Fougere stated fifty years of chipsealing is easily equivalent to pavement. The Councillor stated the taxpayers of Peninsular Halifax have been paying consistently higher taxes over the years, which has subsidized construction in other parts of the Municipality.

Responding to a question of Councillor Blumenthal, Mr. Dhillon stated Ivanhoe and Ralph Devlin Streets will need partial or complete reconstruction. Rosyln Road will likely only require re-paving.

Mayor Fitzgerald suggested a listing of chipsealed streets in HRM should be circulated to Council.

Responding to a question of Councillor Stone, Mr. Dhillon stated the priority of streets to be paved will be determined across the entire core area, and the priority list will be provided to Council as a recommendation.

Closing the debate, Councillor Uteck stated this problem is throughout HRM and it is hoped this will even the playing field for all residents living on chipsealed streets.

**MOTION PUT AND PASSED.**

**8.2 Council Decision on Second Reading By-Law P-800 Respecting the Regulation of Pesticides, Herbicides and Insecticides (Public Hearing portion closed)**



- A supplementary report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration. The report recommended that Council:
  1. Give Second Reading to By-Law P-800, attached to the supplementary report dated August 10, 2000, being the Pesticide By-Law which includes revisions directed by Council;
  2. Adopt, by resolution, Administrative Order Number 22, being the Pesticide Exclusion List, attached to the supplementary report dated August 10, 2000; and,
  3. Adopt, by resolution, the Enforcement Policy, attached to the staff report dated August 10, 2000.

### **CONFLICT OF INTEREST**

Councillor Snow declared a **Conflict of Interest** in this matter as he owns a landscaping business.

### **MOVED by Councillors Read and Fougere that Council:**

1. **Give Second Reading to By-Law P-800 Respecting the Regulation of Pesticides, Herbicides and Insecticides, attached to the supplementary report dated August 10, 2000, which includes revisions directed by Council;**
2. **Approve the Enforcement Policy attached to the supplementary staff report dated August 10, 2000, with the following amendments: The words “not be available” at the end of the fourth bulleted item under Policy should be removed. The sentence would now read as follows: “As a result micro-climate information will only be available through eye witness testimony.” Also, the phrase “normally be” is to be added to the fifth bulleted item which will now read as follows: “Plant samples will not normally be taken at the scene of an alleged violation and tested for pesticide residues.”**

Councillor Blumenthal emphasized the importance of education, noting this By-Law refers to cosmetic use of pesticides and not infestations.

Councillor Cooper questioned if it would not be a more appropriate practice to adopt the Enforcement Policy by Notice of Motion. With respect to the By-Law, the Councillor inquired if there is a plan to monitor the process for the inclusion on the list of any future approved products. Mr. Tony Blouin, Manager, Environmental Policy, noted a number of

plans are in development at present, and will be brought forward at the appropriate time. Mr. Paul Dunphy, Director, Planning and Development Services, stated staff will be bringing updates to Council, regarding the exclusion list, on a regular basis. With respect to public input, Mr. Dunphy stated public participation will be sought throughout the implementation process, particularly in the areas of education and communication, as well as the exclusion list.

In response to a question of Councillor Stone, Mr. Blouin stated it is his understanding that bus stops were not included in the current draft By-Law, as it would be too difficult to administer areas such as this during the temporary period. However, commencing in year four, with the general ban in place, these small areas will be covered.

Responding to a question of Councillor Sarto, Mr. Dunphy stated there will be an administrative policy developed by staff, with respect to infestations, that will come to Council well in advance of next spring.

In regards to an inquiry of Councillor Schofield with respect to recoveries, Mr. Dunphy stated staff is projecting the possibility of recoverables from some of the fees that may be charged, such as registration and permit fees. However, he noted that this is only a projection and not a guarantee. The Councillor inquired if there are any funds set aside for challenges of the By-Law, to which Mr. Barry Allen, Acting Municipal Solicitor, responded not specifically.

Responding to a question of Councillor Adams, the following error in the staff report was noted: Year 4 will commence April 1, 2003 and not April 1, 2004 as indicated in the report.

Councillor Streach inquired if the registration process has commenced, to which Mr. Dunphy responded that it has not as staff wants to first ensure the computer database of properties is accurate. Mr. Dunphy suggested it would be the early part of the winter before preparation of the list is commenced.

Councillor Read expressed thanks to Council, the public and staff for their work on this issue.

On a **Point of Order**, Councillor Cooper reiterated his request to have the Enforcement Policy removed from the motion on the floor, and dealt with at a subsequent meeting through a Notice of Motion. Councillor Read clarified his motion was to adopt both the By-Law and the Enforcement Policy.

**MOTION PUT AND PASSED.**

Later in the meeting, Councillor Read gave Notice of Motion for August 22<sup>nd</sup> to adopt Administrative Order Number 23, being the Pesticide Exclusion List (see Page 34).

**9. PUBLIC HEARINGS**

**9.1 Noise By-Law Exemption Application - Bedford Superstore**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, dated June 29, 2000, regarding the above, was previously circulated to Council.

Mr. Peter James, Regional Coordinator, By-Law Enforcement, presented the staff report.

Responding to a question of Councillor Kelly, Mr. James stated, in conversation today with the office of the applicant, the request is for a maximum of five pours. The Councillor stated it is his understanding that only four pours are required, and questioned the need to approve five. Mr. Ron Hiltz, Wallace MacDonald and Lively, confirmed that five pours are still required as was originally discussed.

In response to a question of Councillor Cooper, Mr. Hiltz stated the actual pouring work will be completed by 6:00 p.m. and the only work that will be done after that time is the concrete polishing.

Responding to a question of Councillor Stone regarding public notification, Councillor Kelly stated he went door-to-door visiting as many residents as possible to explain to them what would be occurring.

Mr. Hiltz noted there has been a problem with the steel delivery and erection, and therefore, pouring will take place before the majority of the building is put up in order to maintain the pouring schedule.

Mayor Fitzgerald called three times for members of the public wishing to speak either in favour of or against the application. Hearing none, the following motion was put on the floor:

**MOVED by Councillors Sarto and Blumenthal that the Public Hearing be closed.  
MOTION PUT AND PASSED UNANIMOUSLY.**

**COUNCIL DECISION**

**MOVED by Councillors Kelly and Mitchell that Council approve Bedford Superstore's application for exemption from the provisions of HRM By-Law N-200 Respecting**

Noise with regards to the concrete pouring work. **MOTION PUT AND PASSED UNANIMOUSLY.**

**9.2 Case 00267 - Proposed Amendments to City of Halifax and City of Dartmouth Subdivision By-Laws - Minimum Lot Width and Depth**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, dated July 7, 2000, regarding the above, was previously circulated to Council.

Mr. Roger Wells, Regional Coordinator, Planning and Development Services, presented the staff report.

Mayor Fitzgerald called for members of the public wishing to speak either in favour of or against the amendments.

**Ms. Christine Barber, John Street, Halifax**

Ms. Barber referenced a situation occurring on the property next to her home on John Street, where a modular home is being constructed that will have windows and doors overlooking her property. Ms. Barber stated she believes this type of home will degrade the area, and asked for Council's support in anything that can be done to prevent it.

In response, Mr. Wells stated he was not aware of this specific situation, and noted it has nothing to do with the By-Law amendment currently before Council. Mayor Fitzgerald suggested that staff could look in Ms. Barber's situation, and staff agreed to do so.

Mayor Fitzgerald called three times for any additional members of the public wishing to speak either in favour of or against the amendments. Hearing none, the following motion was put on the floor:

**MOVED by Councillors Blumenthal and Hetherington that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

**COUNCIL DECISION**

**MOVED by Councillors Read and Hetherington that Halifax Regional Council approve the amendments to the Subdivision By-Laws for the former City of Halifax and City of Dartmouth as contained in Appendix "A" attached to the staff report dated July 7, 2000.**

Responding to a question of Councillor Blumenthal, Mr. Dunphy stated most modular homes fit the definition of home under the Building Code. If a building permit has already

been issued, Mr. Dunphy stated he expects there will not be anything staff can do to rescind an approval already granted.

**MOTION PUT AND PASSED UNANIMOUSLY.**

As agreed to during Approval of the Order of Business, Council deal with Item 13.1 next on the agenda:

**13.1 Councillor Streach - Request to move Information Item #18 (Memorandum from Project Manager, Civic Address Project re: Request to List Markland in the Gazetteer of Canada) to regular Council agenda for discussion**

- An Information Report prepared for Donna Davis-Lohnes, Manager, Civic Address Project, regarding the above, was before Council.

Councillor Streach noted a motion was originally put forth on July 11, 2000 by himself and Councillor Snow to support this request, and, at that time, the matter was referred to staff for a report. The Information Report, which indicated that staff has no problem with the request, was now before Council.

**MOVED by Councillors Streach and Hetherington that be it resolved that Halifax Regional Municipality supports the Icelandic Memorial Society's wish to have the area of land located south of Caribou Mines, Halifax County, named "Markland" and to have the name entered in the Canadian Geographical Names Gazetteer as an "official" place name. This name marks the location of the memorial cairn erected on the site of the Icelandic settlement of 1875-82. MOTION PUT AND PASSED UNANIMOUSLY.**

**10. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**10.1 Correspondence**

**10.1.1 Proposed Resolution to FCM Regarding the Port Authorities Operations Regulations - Board of Directors, Greater Vancouver Regional District**

- Correspondence dated July 28, 2000, from George Puil, Chair, Board of Directors, Greater Vancouver Regional District, seeking support for a resolution to the Federation of Canadian Municipalities regarding the Port Authorities operations regulations, was before Council for its consideration.

**MOVED by Councillors Sarto and Schofield that:**

**WHEREAS** the Governor General in Council has on the recommendation of the Minister of Transport, pursuant to the Canada Marine Act, enacted the Port Authorities Operations Regulations;

**AND WHEREAS** local government was not consulted in the drafting of these Regulations;

**AND WHEREAS** the Regulations contain wording that prohibit anything that will or is likely to adversely affect soil, air or water quality without providing definitions of these terms;

**AND WHEREAS** various Port Authorities have reached different interpretations regarding their legal liability with respect to municipal stormwater and wastewater effluent discharges relative to the wording in the Regulations;

**AND WHEREAS** some interpretations of the Regulations would duplicate and/or conflict with the provisions of provincial and other federal legislation, creating confusion and increased legal and financial risk for local governments adjacent to ports;

**BE IT RESOLVED** that FCM urge the Federal Minister of Transport to amend the new Port Authorities Operations Regulations to recognize the role of provincial and federal environment ministries and agencies regarding the interpretation of “adversely affect soil, air or water quality” and to absolve the Port Authorities of any responsibility or legal liability regarding the authorization of municipal stormwater and wastewater effluent discharges.

Before adopting the resolution, Councillor Stone stated he would prefer the matter be referred to staff for a report to determine if the Vancouver Port Authority is different than the Halifax Port Authority. Mr. Meech responded that it is his understanding that both Authorities would be based on the same model. If this is the case, Councillor Stone stated he would have no difficulty supporting the resolution.

Councillor Rankin also spoke in support of referring the matter to staff for a report.

**MOVED** by Councillors Rankin and Greenough that the correspondence from Mr. George Puil, Chair, Board of Directors, Greater Vancouver Regional District, seeking support for a resolution to the Federation of Canadian Municipalities regarding the Port Authorities operations regulations, be referred to staff for a report next week.  
**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2 Petitions**

**10.2.1 Councillor Adams - Circle Drive**

Councillor Adams served a petition containing 35 signatures of residents requesting paving of Circle Drive. The Councillor requested that this be referred to staff for a response as to why this request has been refused in the past and how it can be put on the list for the next capital project season.

**10.2.2 Councillor Adams - Halifax West High School**

Councillor Adams submitted correspondence from a Ketch Harbour resident regarding the recent decision of the Halifax School Board decision to send the students from Halifax West to J.L. Ilsley High School. The Councillor requested that this correspondence be copied and circulated to members of Council.

**10.2.3 Councillor Snow - Water Services - Fall River Village, Phase One - Nine**

Councillor Snow served a petition containing approximately 136 signatures requesting water services to be brought into Fall River Village, Phases One through Nine.

**10.2.4 Councillors Fougere and Blumenthal - Federal Residential Correction Facility in Northwest Peninsular Halifax**

Councillors Fougere and Blumenthal submitted a petition containing approximately 312 signatures of residents of Districts 13 and 14 opposing the construction of a thirty-six bed Federal Residential Correctional Facility in north-west Peninsular Halifax. The Councillors requested that this petition be forwarded to the Federal Solicitor General Lawrence MacAulay, who holds responsibility for Correctional Services.

Councillor Fougere noted there will be two further public information meetings regarding this matter. One hosted by Correctional Services of Canada on September 6th at the Halifax Police Association Club in the afternoon and evening, and one hosted by Councillors Fougere and Blumenthal on the evening of September 25th at the Halifax Forum Multi-Purpose Centre.

**10.2.5 Councillor Harvey - Multi-way Stop Sign - Nictaux Drive and Newcombe**

Councillor Harvey submitted a petition containing signatures of approximately 60 households on Nictaux Drive, Lr. Sackville, seeking a multi-way stop sign at the corner of Nictaux Drive and Newcombe to reduce traffic speed and to ensure public safety. The Councillor noted this request has previously been refused by the Traffic Authority and he requested that this petition be forwarded to the Traffic Authority to respond directly to Councillor Harvey as soon as possible with respect to alternatives to a multi-way stop sign to achieve the same result.

**10.2.6 Councillor Blumenthal - Community Council - Districts 11, 12, 13 & 14**

Councillor Blumenthal submitted a petition from the Council of Neighbourhood Associations in Halifax Peninsula in support of the re-establishment of a Community Council for Districts 11, 12, 13 and 14.

**10.2.7 Councillor Downey - Peninsula Community Council**

Councillor Downey submitted a copy of a petition that was tabled on May 7, 1996, to include District 12 in the Peninsula Community Council. The Councillor noted that at that time he stated if 500 names were received he would join the Community Council. However the May 7, 1996 petition contained only 104 names.

**10.3 Presentations**

**10.3.1 Re-Establishment of the Peninsula Community Council:**



**i) Mr. Hugh Pullen, Peninsula South Community Association**

Mr. Hugh Pullen made a presentation to Council in support of the re-establishment of the Peninsula Community Council to include Districts 11, 12, 13 and 14. A copy of his presentation was submitted for the record.

**ii) Ms. Dawn Sloane, Halifax Central Community Association**

Ms. Dawn Sloane made a presentation to Council in support of District 12 being included in a Community Council.

**11. REPORTS**

**11.1 MEMBERS OF COUNCIL**

**11.1.1 Councillor Rankin - Aid to Municipalities for Pavement Upkeep**

Councillor Rankin expressed concern with the Province not accepting any requests for paving of streets since 1998, stating the residents have been short-changed in the service exchange program. The Councillor stated that it is time that this issue be reviewed.

(Mayor Fitzgerald left the meeting at 7:40 p.m. and Deputy Mayor Cunningham assumed the Chair.)

**MOVED by Councillors Rankin and Mitchell that staff be requested to set out a position paper for the August 22, 2000 Council meeting as to what approach can be taken to the Province to clarify issues regarding aid to municipalities for pavement upkeep.**

Speaking in support of the motion, Councillor Mitchell stated only one street in District 23 has been paved, and it is his opinion that the contract has not been honoured.

Also speaking in support of the motion, Councillor Merrigan stated the Province is also not properly maintaining streets, as some streets in District 19 have shoulders that are six to twelve inches below the pavement, and some have no shoulders. The Councillor stated this is an HRM problem, and the report should address how the Municipality can help.

Councillor Colwell spoke in support the motion, noting there is a lot of paving work required in the rural area, and residents of his community are willing to pay for some of it. The Councillor expressed appreciation to HRM staff for providing excellent winter maintenance last year.

Councillor Hetherington expressed concern with grass growing through the pavement on secondary roads throughout the Province, stating the roads have deteriorated to a point where they now need to be reconstructed at a continually increasing cost.

Councillor Streach spoke in support of the motion, stating the service exchange program has not been an equitable trade, and it is time to address the matter with the Department of Transportation.

Closing the debate, Councillor Rankin stated HRM has obligations to the subdivisions, as the responsibility of these roads has been delegated by a contract to the Province by the Municipality, and the residents beyond the urban core are paying taxes relative to the roads that HRM took over from the Province. The Councillor stated the issue is standards and the lack of them outside the urban core.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.1.2 Councillor Streach - Raves**

Councillor Streach requested that staff investigate the formulation of a By-Law for regulation and control of raves in the Halifax Regional Municipality.

**MOVED by Councillors Streach and Fougere that this matter be referred to Police Services, Fire Services, Special Events and Legal Services for a report to examine the implications and ramifications of HRM implementing a by-law to deal with raves (similar to the one referenced in the May 2, 2000 Information Report to Council). The report is to include an opinion on enforcement of such a by-law and whether or not this is an issue in which HRM should become involved.**

Councillor Sarto spoke in support of the motion, stating tighter security at the raves may help the situation.

Councillor Blumenthal expressed concern with the lack of enforcement of By-Laws and stated he would be in favour of a By-Law respecting raves only if it is enforced.

Councillor Fougere clarified Council is looking for a recommendation from staff to determine if HRM can better deal with this activity themselves under its current mandate or if a By-Law is necessary.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.1.3 Councillor Sarto - Three-way Stop Sign - Valleyfield/Virginia/Oakwood**

Councillor Sarto requested a staff report outlining the feasibility of installing a 3-way stop sign at Valleyfield/Virginia and Oakwood, Dartmouth to address safety and traffic concerns.

**MOVED by Councillors Sarto and Greenough that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.1.4 Councillor Adams - Ball Fields - User Fees**

Councillor Adams requested a staff report to clarify the purpose of the user fees for ball fields. The Councillor noted he has had a number of complaints that the fields are in very poor condition, and suggested the fees could be used to make them more playable. Councillor Adams also suggested that the user fees could be waived for fundraising tournaments by charitable organizations and for regional, provincial and national tournaments. Currently, these organizations are being charged \$86 per day per diamond.

(Mayor Fitzgerald returned to the meeting at 8:00 p.m. and assumed the Chair.)

Councillor Cooper suggested the report should also include results of user fees from the previous year as to what was expected.

Councillor Schofield requested that the report include information as to whether or not the user fees will be relaxed at some point in the future, noting many families cannot afford to pay these charges.

**MOVED by Councillors Adams and Cooper that this matter be referred to staff for a report to address the following issues regarding user fees for ball fields:**

- **rental fees on a per diamond basis for fundraising tournaments by charitable organizations and for regional, provincial and national tournaments**
- **for what purpose are the user fees being collected**
- **comparison of the results of the user fees from the previous year to what was expected**
- **will user fees be relaxed at some point in the future**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2 CHIEF ADMINISTRATIVE OFFICER**

**11.2.1 Tender 00-257 Kempt Road, Paving Renewal - Halifax**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Blumenthal and Downey that Council:**

1. **Authorize the transfer of funds from Account No. CRESPOOL, the Capital Pool to Account No. CYR00994, Kempt Road Paving Renewal, as summarized in the Budget Implications Section of the staff report dated July 20, 2000, as per approved Capital Pool Procedures.**
2. **Award Tender No. 00-257, Kempt Road, Paving Renewal - Halifax to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$239,821.00, and a Total Project Cost of \$275,795.00, with funding authorized as per the Budget Implications Section of the staff report dated July 20, 2000. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.2 Award of Tender No. 00-226, Sidewalk Renewals - Western Region**

- A staff report prepared for Dan English, Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Downey and Uteck that Council:**

1. **Authorize the transfer of funds from Account No. CRESPOOL, the Capital Pool, to various Capital Accounts to cover the shortfall, and the transfer of unallocated funds to CRESPOOL, the Capital Pool, as summarized in the Budget Implications Section of the staff report dated July 20, 2000, as per approved Capital Pool Procedures.**
2. **Award Tender No. 00-226 Sidewalk Renewals - Western Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$153,341.00 and a Total Project Cost of \$176,344.00, with funding authorized as per the Budget Implications Section of the staff report dated July 20, 2000.**

Councillor Uteck noted that residents of Cartaret Street were petitioned six years ago regarding renewal of their sidewalk, however the request was lost during amalgamation. The Councillor requested that staff research this and, if this is correct that it be reinstated as part of this Capital Budget.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.3 Award of Tender No. 00-270, Summit Heights Road Reconstruction - Dartmouth**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Greenough and Hetherington that Council:**

1. **Waive the right of petition and approve the recovery of Local Improvement Charges for upgrading of asphalt curb to concrete on Summit Heights Road in Dartmouth by frontage charge.**
2. **Authorize the transfer of funds from Account No. CRESPOOL, the Capital Pool in the amount of \$4,637.00 to Capital Account No. CYR01006, Summit Heights.**
3. **Award Tender No. 00-270, Summit Heights Road Reconstruction - Dartmouth, to Basin Contracting Limited for materials and services listed at the unit prices quoted for a Tender Price of \$177,945.00 and a Total Project Cost of \$204,637.00, with funding authorized as per the Budget Implications Section of the staff report dated August 8, 2000.**

Responding to a question of Councillor Schofield, Mr. Kulvinder Dhillon stated staff will meet with Sempra Gas in the next two-three days to clarify what streets will be affected by the pipe installation.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.4 Award of Tender No. 00-228, Sidewalk Renewals and Intersection Improvements - Western Region**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, dated regarding the above, was before Council for consideration.

**MOVED by Councillors Blumenthal and Hetherington that Council:**

1. **Authorize the transfer of funds from Account No. CRESPOOL, the Capital Pool, to various Capital Accounts to cover the shortfall, and the transfer of unallocated funds to CRESPOOL, the Capital Pool, as summarized in the**

Budget Implications Section of the staff report, dated August 2, 2000, as per approved Capital Pool Procedures.

2. Award Tender No. 00-228 Sidewalk Renewals and Intersection Improvements - Western Region to Lafarge Canada Inc. for materials and services listed at the unit prices quoted for a Tender Price of \$270,940.00 and a Total Project Cost of \$311,581.00, with funding authorized as per the Budget Implications Section of the staff report dated August 2, 2000. MOTION PUT AND PASSED UNANIMOUSLY.

**11.2.5 Award of Tender No. 00-281, Lockview Road Resurfacing and New Sidewalk, Fall River**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Snow and Streach that Council:**

1. Approve the recovery of Local Improvement Charges for the installation of new concrete curb and gutter, and concrete sidewalk on the west side of Lockview Road in Fall River, from Kinclaven Drive to The High Road, from the Fall River Reserve Account.
2. Award Tender No. 00-281, Lockview Road Resurfacing and New Sidewalk, Fall River to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$254,265.00 and an allowance of 15% for contingencies, for a Total Project Cost of \$292,405.00, with funding as per the Budget Implications Section of the staff report dated August 8, 2000. MOTION PUT AND PASSED UNANIMOUSLY.

**11.2.6 First Reading By-Law T-203, Tax Exemption By-Law for Non-Profit Organizations (2000-2001)**

- A report from the Grant Committee, dated August 15, 2000, regarding the above, was before Council for its consideration.

**MOVED by Councillors Sarto and Uteck that Council give First Reading to By-Law T-203, An Amendment to By-Law T-201, Tax Exemption for Non-Profit Organizations (2000-2001), and that the date of September 5, 2000 be set for a Public Hearing and Second Reading. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.7 Use of CRESPOOL Capital Pool to Fund Fuel Oil Leak Repairs and Tank Replacement**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Sarto and Greenough that Council approve a new Capital Project in the amount of \$77,411.00 and that CRESPOOL, the Capital Pool, be used to fund the repairs made necessary by the leakage from underground storage tanks located at Fire Station #3 at 5663 West Street. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.8 Hammonds Plains Fire Department: Back-Up Generator**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Rankin and Mitchell that Council approve a new Capital Project in the amount of \$60,000.00, and that funding for the project be provided from the Hammonds Plains Fire Department Surplus Reserve, Account #HROP-3429.**

Councillor Rankin spoke in support of this item, as well as the next two, noting representatives of the Hammonds Plains Fire Department were present to respond to any questions of Council. The Councillor also took this opportunity to express thanks and appreciation to the agencies of various levels of government, in particular, the Hammonds Plains Fire Department, for their response and effort in the recent fire in the Kingswood Subdivision.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.9 Hammonds Plains Fire Department: Rescue Unit**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Rankin and Mitchell that Council approve a new Capital Project in the amount of \$120,000.00, and that funding for the project be provided from the Hammonds Plains Fire Department Surplus Reserve, Account HROP-3429. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.10 Hammonds Plains Fire Department: Dry Hydrant**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Rankin and Mitchell that Council approve a new Capital Project in the amount of \$20,000.00, and that funding for this project be provided from the Hammonds Plains Fire Department Surplus Reserve, Account HROP-3429. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **11.2.11 Paving of Gravel Roads**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration. The report recommended that Council:
  1. Approve \$282,000.00 (gross cost) of uncommitted funds in Account No. CXR00332, New Paving of Subdivision Streets Inside Core Area, which is available because of extremely good contract prices, to carry out additional new paving projects.
  2. Approve the transfer of \$250,000.00 (net cost) from CRESPOOL Account to Account No. CXR00332, New Paving of Subdivision Streets Inside Core Area.
  3. Increase the budget for Account No. CXR00332 by \$250,000.00, which will be offset by the recovery of an equal amount of Local Improvement Charges.
  4. Authorize staff to carry out additional paving of gravel roads in the amount of \$782,000.00, with funding from Account No. CXR00332, New Paving of Subdivision Streets Inside Core Area.
  5. Approve the streets priority list as per Appendix "A", attached to the staff report dated July 31, 2000.

Mr. Kulvinder Dhillon, Director, Public Works and Transportation, in consultation with the Director of Finance, proposed the following minor amendment to the staff recommendation:

\$282,000 is to be transferred to CRESPOOL and \$391,000 is to be approved for the paving of gravel roads.

Mr. Dhillon noted this amendment is only a procedural change and the net effect is the same.



**MOVED** by Councillors Snow and Hetherington that Council:

1. Approve the transfer of \$282,000 (gross - \$141,000 net) of uncommitted funds from Account No. CXR00332, New Paving of Subdivision Streets Inside Core Area, which is available because of extremely good contract prices, to CRESPOOL, to carry out additional new paving projects.
2. Approve the transfer of \$391,000.00 (net cost - \$141K+\$250K) from the CRESPOOL Account to Account No. CXR00332, New Paving of Subdivision Streets Inside Core Area. These funds will support \$782,000 in gross costs due to the 50/50 cost sharing and LIC's available on the transfer.
3. Authorize staff to carry out additional paving of gravel roads in the amount of \$782,000.00, with funding from Account No. CXR00332, New Paving of Subdivision Streets Inside Core Area. Sources of funding for the \$782,000 is as follows:  
  

\$141,000	from CRESPOOL - (funded by HRM via debt)
\$141,000	cost sharing on above amount
\$250,000	from CRESPOOL - (funded by HRM via debt)
\$250,000	funded by Local improvement charges
\$782,000	Total additional paving of gravel roads
4. Approve the streets priority list as per Appendix "A", attached to the staff report dated July 31, 2000. **MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.12      Supplementary Education Funding Question**

- A supplementary report prepared for Wayne Anstey, Municipal Solicitor, regarding the above, was before Council for its consideration.
- Correspondence from Wayne Taylor, Timberlea, dated August 15, 2000, regarding the above, was circulated to Council.

**MOVED** by Councillors Kelly and Mitchell that Council approve the following as the question to be put to the public in the plebiscite to be held during the regular October General Municipal Election:

*Do you favour the Halifax Regional Municipality levying property taxes to provide supplementary education funding to our schools?*

**Further, that staff cause the factual information respecting supplementary funding contained in Appendix “A” of the staff report dated July 31, 2000, to be distributed to the general public by the distribution of a copy of the handout to each household in Halifax Regional Municipality.**

Councillor Read inquired why there is no figure shown in the report for an administration fee for the former County/Bedford area. Mr. Meech stated he would take this under advisement and it is his understanding that Council previously requested an explanation of this issue from the School Board.

Councillor Blumenthal expressed grave concern with the amount of money being allocated for administration of the fund. The Councillor suggested the School Board needs to have rules as to where it can spend the supplementary funding. Councillor Blumenthal stated supplementary funding is for program assistants and not extra teachers.

Councillor Adams stated he did not support the motion nor a plebiscite as the question is ambiguous and redundant. The Councillor suggested Council should make its decision based on its own information. Councillor Adams expressed concern that if the answer that comes back from the plebiscite is “no”, it will put the entire education system in turmoil.

With respect to the information to be distributed to the general public, Councillor Sarto suggested it should be condensed. In regards to the proposed question, the Councillor stated residents will believe it is a new tax, and, therefore, suggested the word “continue” should be added before the word “levying.” Councillor Sarto also suggested the question should be posed only to the residents of the former County and Town of Bedford.

Councillor Schofield stated he does not support a plebiscite, and suggested the current amount being spent on supplementary education should be maintained and spread across the entire HRM.

Councillor Fougere noted the plebiscite is only a public opinion poll and it will be up to Council to make the final decision as to how this matter should be handled. With respect to the public information, the Councillor stated it is straightforward, but she expressed concern with the number of acronyms used in it, and suggested these should be spelled out for the benefit of the public.

Councillor Uteck stated she will encourage residents to vote “No” in the plebiscite. The Councillor agreed with Councillor Sarto’s suggestion that residents of Halifax and Dartmouth should be exempt from the question.

Speaking in support of the motion, Councillor Stone stated Council needs to get control of how the supplementary funding is spent.

Councillor Greenough spoke in support of the motion, but questioned the legality of only including the former County and Bedford residents. In response, Mr. Allen stated it is his understanding that the plebiscite can be held in portions of the Municipality. Councillor Greenough stated he believes the plebiscite should be held throughout HRM, and that the public needs to have information as to what extent this additional property tax will be levied. The Councillor suggested this may be something that should be added to the public information package.

Councillor McInroy spoke in support of the plebiscite question and revising the public information.

Councillor Cooper suggested the plebiscite has more weight than just a public opinion poll. The Councillor stated he would not support the wording of the question unless the use of the funds is defined, and suggest the following wording would be more appropriate: *Do you favour HRM providing supplementary education funding for enhanced programs in schools under the jurisdiction of the Halifax Regional School Board.*"

Deputy Mayor Cunningham expressed concern with the possibility of having supplementary education funding eliminated as a result of a "no" answer to the plebiscite. The Deputy Mayor stated he does not agree with the concept of a plebiscite and suggested Council needs to make the decision regarding this issue.

Councillor Colwell spoke in support of the plebiscite, and expressed concern with administration costs for supplementary education funding. The Councillor stated he would like to see more accountability from the School Board regarding the use of this funding.

Speaking in support of the motion, Councillor Mitchell stated the residents are in favour of the plebiscite.

Responding to a question of Councillor Kelly, Mr. Allen stated the plebiscite has to be conducted according to the same rules as the municipal election. The Councillor inquired if there will be a cap placed on groups who want to participate in the overall discussion and debate on this topic. Mr. Allen responded he did not believe a cap was being implemented but agreed to confirm this. Mr. Meech added that it is his understanding there is no current restriction in the legislation with respect to what a group or individual can spend lobbying one way or another for a particular position.

Councillor Harvey stated the matter now before Council is the wording of the question, and the issue of holding a plebiscite has already been discussed and decided upon. The Councillor stated he does not believe the plebiscite will help Council solve this issue.

Councillor Merrigan spoke in support of the question, but stated the public information needs to explain to the residents what is happening in Halifax and Dartmouth, what is happening in Bedford and the County, what the School Board is recommending, and then ask whether or not the residents agree with it.

Councillor Hetherington noted the School Board will be questioned by the residents during the election campaign as to how this money will be spent. The Councillor expressed concern with comments made regarding simplifying the public information so the residents will understand it, stating the public needs to be given the respect they deserve.

Councillor Adams expressed concern with asking the residents if they approve of something that has already been done for the last sixteen years. The Councillor suggested if the residents were not in favour of supplementary funding, they would have expressed this before now. Councillor Adams stated he was prepared to put forth an amendment to exclude the former cities of Dartmouth and Halifax from the plebiscite. It was agreed to wait until the end of the debate before any amendments are posed.

Councillor Blumenthal questioned if the Municipality is losing education funding from the Province what it is spending on supplementary education funding.

Councillor Cooper stated he is prepared to propose an amendment to the motion to specify the use of the supplementary education funding to provide enhanced education for the students of HRM.

Councillor Greenough suggested the maximum rate that will be charged should be included in the information package that is distributed to the residents. Councillor Snow agreed with this suggestion, stating the residents will want to know how much they are expected to pay.

Mayor Fitzgerald spoke about the importance of educational funding and the responsibility to provide it. The Mayor stated the responsibility to provide this funding falls with the Provincial government, however it is not fulfilling its responsibility. Therefore, it is up to Council and the citizens to ensure that the children are given an equal opportunity to receive the best education possible.

It was agreed to deal with any amendments to the motion at this time.

**MOVED by Councillors Adams and Uteck that the motion be amended to exclude the former cities of Halifax and Dartmouth from the supplementary education funding question and that the question read as follows: *Do you favour paying additional property taxes to achieve equal education to the former cities of Halifax and Dartmouth?***"

Councillor Greenough suggested the motion should be split into two parts. Both the Mover and Secunder agreed, and the first motion now read as follows:

**MOVED by Councillors Adams and Uteck that the motion be amended to exclude the former cities of Halifax and Dartmouth from the supplementary education funding question. MOTION PUT AND DEFEATED.**

Based on this negative result, the second part of the motion was no longer required.

**MOVED by Councillors Cooper and Blumenthal that question be amended to read as follows: *Do you favour the Halifax Regional Municipality levying property taxes to provide supplementary education funding to our schools, for enhanced programs in the schools, over and above the core programs?* MOTION PUT AND PASSED.**

The vote was then taken on the Main Motion, as amended, which now read as follows:

**MOVED by Councillors Kelly and Mitchell that Council approve the following as the question to be put to the public in the plebiscite to be held during the regular October General Municipal Election:**

***Do you favour the Halifax Regional Municipality levying property taxes to provide supplementary education funding to our schools, for enhanced programs in the schools, over and above the core programs?***

**Further, that staff cause the factual information respecting supplementary funding contained in Appendix "A" of the staff report dated July 31, 2000, to be distributed to the general public by the distribution of a copy of the handout to each household in Halifax Regional Municipality. MOTION PUT AND PASSED.**

Councillor Sarto suggested the public information package should include contact names and phone numbers if the residents would like additional information.

**11.2.13      Case 00207: Amendment to the C-2A Zone sign requirements in the Land Use By-Laws for Halifax Peninsula and Halifax Mainland**

- A supplementary report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Adams and Hetherington that:**

1. **Halifax Regional Council approve revisions to the proposed amendments to the C-2A Zone sign requirements of the Land Use By-Laws for Halifax**

Peninsula and Halifax Mainland as contained in Appendix A of the July 6, 2000 staff report, such revisions being presented as Attachment 1 of the staff report dated July 19, 2000.

2. Halifax Regional Council cancel the Public Hearing to consider these amendments originally scheduled for August 22, 2000.
3. Halifax Regional Council and Chebucto Community Council give First Reading to the proposed amendments to the C-2A Zone sign requirements of the Land "Use By-Laws for Halifax Peninsula and Halifax Mainland respectively (Attachment 1 of the staff report dated July 19, 2000), and schedule a joint Public Hearing for September 5, 2000. MOTION PUT AND PASSED UNANIMOUSLY.

11.2.14 NSDOT & PW/HRM Cost Sharing Agreements for the Construction of Access Ramps to/from Highway 102/Joseph Howe Drive and Traffic Signals at the Intersection of Highway 102 and Lacewood Drive

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Rankin and Stone that Council:**

1. Authorize the transfer of funds from Account No. CRESPOOL, the Capital Pool, in the amount of \$1,250.00 to Capital Account No. CTR00526, Hammonds Plains Road/Lucasville Road Intersection.
2. Accept the cost sharing proposal for the construction of Access Ramps to/from Highway 102/Joseph Howe Drive and a left turn lane at Hammonds Plains Road and Lucasville Road and enter into a cost sharing agreement with the Province of Nova Scotia, attached to staff reported dated August 3, 2000, as Appendix "A".
3. Accept the cost sharing proposal for the installation of traffic signals at the intersection of Highway 102 southbound off/on-ramps and Lacewood Drive and enter into a cost sharing agreement with the Province of Nova Scotia, attached as Appendix "B" with funds from the Sale of Land Account in an amount of up to \$25,000.00 plus tax. MOTION PUT AND PASSED UNANIMOUSLY.

11.2.15 Private Streets Committee

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Hetherington and Blumenthal that Council approve the formation of a Private Streets Committee consisting of three to four Councillors being appointed by Council, plus one staff member, being the Director of Public Works and Transportation Services. The terms of reference of this committee would be to review the existing HRM policies and procedures on the acceptance of private streets and other Provincial legislation that might have an impact on this issue. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Blumenthal expressed an interest in serving on this Committee. Other interested Councillors were requested to submit their names to Mayor Fitzgerald's Office.

#### **11.2.16 Aerotech Park Rate/Fee Increases**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Greenough and Hetherington that Council approve:**

- 1. A 5% increase to the Aerotech Park-Halifax International Airport water and sewer rate effective September 1, 2000 and April 1, 2001.**
- 2. A 10% increase in Aerotech Biosolids Lagoon tipping fees, effective September 1, 2000. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **12. MOTIONS**

##### **12.1 Councillor Uteck**

Councillor Uteck stated the name of the proposed Community Council will be the Peninsula, South End and Western Region Community Council. The Councillor noted Districts 11, 13, 14, 22 and 23 attempted to join the Chebucto Community Council in March 2000, but were refused and are now proposing this new Community Council. Councillor Uteck stated she is looking forward to learning more about all areas included in this new Community Council.

**MOVED by Councillors Uteck and Rankin that Council adopt an Administrative Order, as a policy pursuant to the Municipal Government Act, respecting the creation of a Community Council in Polling Districts 11, 13, 14, 22 and 23.**

Speaking in support of the Motion, Councillor Rankin stated the meeting location will be 2750 Dutch Village Road, and the first meeting is proposed to be held on the last Wednesday in August.

Councillor Blumenthal spoke in support of a Community Council, but suggested the motion should be amended to include District 12 because the community wants to be included.

**MOVED by Councillors Blumenthal and Hetherington that the motion be amended to include District 12.**

Responding to concerns expressed by Councillor Uteck regarding the validity of the amendment, Mr. Barry Allen, Acting Municipal Solicitor, advised that it is a proper amendment.

**MOTION PUT AND PASSED.**

The vote was then taken on the Main Motion, as amended, which now read as follows:

**MOVED by Councillors Uteck and Rankin that Council adopt an Administrative Order, as a policy pursuant to the Municipal Government Act, respecting the creation of a Community Council in Polling Districts 11, 12, 13, 14, 22 and 23. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **12.2 Councillor Adams - Amendment to By-Law D-100, the Dog By-Law**

Councillor Adams expressed concern with a recent incident involving a seeing eye dog picked up by Animal Control after becoming loose. The owner was required to pay a cash fee before the animal was released. Councillor Adams stated he would like the By-Law amended to allow for special consideration for situations such as these.

**MOVED by Councillors Adams and Fougere that Council amend By-Law D-100, the Dog By-Law, to allow for special consideration for owners of those dogs issued for seeing-eye dogs, hearing dogs, and other dogs necessary for individuals to function on a day-to-day basis. The purpose of this waiving of fee, to reclaim dog (accidental escape) or allow 30 days to pay.**

Councillor Hetherington suggested this matter should first be referred to staff for a report.

**MOVED by Councillors Hetherington and Adams that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.**



**12.3 Deputy Mayor Cunningham**

Deputy Mayor Cunningham expressed concern with the number of requests for staff reports being generated at Council meetings. The Deputy Mayor suggested some of these requests must be rather onerous to staff and take them away from their regular duties, and, therefore, put forth the following motion:

**MOVED by Deputy Mayor Cunningham and Councillor Hetherington that staff examine the issue of reports formally requested at Regional Council sessions. MOTION PUT AND DEFEATED.**

**13. ADDED ITEMS**

**13.1 Councillor Streach - Request to move Information Item #18 (Memorandum from Project Manager, Civic Address Project re: Request to List Markland in the Gazetteer of Canada) to regular Council agenda for discussion**

This item was addressed earlier in the meeting (see Page 12).

**13.2 Councillor Hetherington - Sheraton Casino - Bingo Games**

- Correspondence from Premier John Hamm, dated August 7, 2000, regarding the above, was circulated to Council for its information.

Councillor Hetherington expressed concern with the possibility of the Sheraton Casino offering a promotion inviting people to attend free bingo games. The Councillor stated any promotion that is advertised under the name of bingo and is free, is to draw people who use the bingo facilities throughout the Municipality, to the Casino. Councillor Hetherington stated the small bingos are used by various organizations to raise money in their communities to be put back into those communities. The Councillor requested that a clear message be sent to the Nova Scotia Alcohol and Gaming Authority that Council is not in favour of the Sheraton Casino putting on such a promotion or anything similar to it. Councillor Hetherington noted that under the current Alcohol and Gaming Authority rules, no organization in Nova Scotia is permitted to hold free bingos.

Councillor Blumenthal also expressed concern with the possibility of the Sheraton Casino taking bingos away from the local communities.

**MOVED by Councillors Hetherington and Blumenthal that a letter be sent to the Nova Scotia Alcohol and Gaming Authority expressing Council's opposition to any promotion put on by the Sheraton Casino called "bingo". MOTION PUT AND PASSED UNANIMOUSLY.**

**13.3 Report - Crosswalk Safety, Kearney Lake Road - Additional Crossing Guards Request**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

**MOVED by Councillors Stone and Blumenthal that Council receive the staff report and that the information be forwarded to the presenter at the July 4, 2000 Council meeting.**

Councillor Stone noted that the upcoming item regarding the Parkland Drive extension will necessitate a set of traffic lights which will go a long way to solve this problem.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**13.4 Report - Case 00212, Petition to Rezone Properties on Atlantic Street, Brussels Street and MacLean Street from R-2A (General Residential Conversion) and R-2 (Two Family Dwelling) to R-1 (Single Family Dwelling) - Halifax (District 13)**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

In response to a question of Councillor Uteck, Mr. Meech stated it is his understanding that the application and advertisement fee would be waived in this case.

**MOVED by Councillors Uteck and Fougere that Regional Council:**

1. Request staff to initiate a process to amend the Halifax Municipal Planning Strategy and Land Use By-Law to redesignate and rezone properties on Atlantic, Brussels and McLean Streets, as shown on Map 1 of the staff report dated July 14, 2000, from Medium Density Residential (MDR) and R-2A Zone to Low Density Residential (LDR) and R-1 Zone.
2. Approve a public participation program in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997.
3. Provide direction that the application fee and advertisement fee is to be waived in this case.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**13.5 Property Matter - 2173 Barrington Street**

- This item was discussed during the In Camera Session held prior to the Regular Session, and was now before Council for ratification.

**MOVED by Councillors Downey and Schofield that Halifax Regional Council adopt the Resolution attached as Appendix “A” to the staff report dated August 1, 2000, and that Council approve the recommendation that the report may be released. MOTION PUT AND PASSED.**

**13.6 Property Matter - Parkland Drive Extension**

- This item was discussed during the In Camera Session held prior to the Regular Session, and was now before Council for ratification.

**MOVED by Councillors Stone and Hetherington that Halifax Regional Council:**

- **Declare Parcel A as shown on Figure 2 of the staff report dated August 2, 2000 surplus with the intention that Real Estate Services will actively market the property for sale, and ,**
- **Convey Parcel A on the condition that Parkland Drive would be designed and constructed by the Purchaser as a four-lane major collector road in accordance with the design guidelines of Public Works and Transportation Services as per Figure 2.**
- **Not release the contents of the report. MOTION PUT AND PASSED UNANIMOUSLY.**

**13.7 Property Matter - Sale of Portion of HRM Property at the Corner of Inglis and Barrington Streets**

- This item was discussed during the In Camera Session held prior to the Regular Session, and was now before Council for ratification.

**MOVED by Councillors Downey and Hetherington that:**

- **Council declare the requested portion of HRM property PID #00142133, as shown on Attachment “A” of the staff report dated August 3, 2000, surplus to the requirements of HRM.**

- **Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby the portion of PID #00142133 is conveyed to Mr. Geoff Keddy subject to the terms and conditions set out in the report.**
- **Council not release the contents of the report. MOTION PUT AND PASSED.**

**13.8 Councillor Cooper - Information Item #19**

- An Information Report prepared for David P. McKinnon, Chief of Police, regarding the above, was before Council.

Councillor Cooper noted the report indicates there will be a further study. The Councillor stated the report appears to ignore the fact that this is a collector road and is on a bus route, and the request was for a crossing guard on an existing crosswalk. Councillor Cooper requested that these points be taken into account when the matter is re-evaluated.

**13.9 Councillor Adams - Halifax West and J. L. Ilesley High Schools**

With respect to the recent decision of the Halifax Regional School Board to send students of Halifax West High School to J. L. Ilesley High School during renovations to the school building, Councillor Adams requested that the School Board be requested to respond to the following:

- Some students will have to get up at 5 a.m. to attend classes at 7:30 a.m., and for some in the Sambro and Williamswood area it will even be earlier.
- J.L. Ilesley appears to be the furthest school from Halifax West given the options available, and has the least amount of Metro Transit access.
- Why was St. Pat's or Queen Elizabeth High Schools chosen, or the students distributed among the 3 schools to avoid split shifts?
- Who will extra-curricular and intramural activities be handled?
- Future meetings regarding this issue should be well advertised to inform the residents of what is taking place.
- Will supplementary funding allocated to the Halifax West students follow them to J. L. Ilesley?
- Are there enough lockers to accommodate the additional students?

Council agreed that this information would be requested from the School Board.

**14. NOTICES OF MOTION**

**14.1 Councillor Read - Administrative Order Number 23**

**TAKE NOTICE** that at the next regular meeting of Halifax Regional Council to be held on August 22, 2000, I propose to introduce for adoption by Regional Council Administrative Order Number 23, which is intended to identify pesticides, herbicides and insecticides excluded from the Pesticide By-Law.

**14.2 Councillor Uteck - Bed and Breakfasts**

**TAKE NOTICE** that at the next regular meeting of Halifax Regional Council to be held on August 22, 2000, I propose to introduce a motion to remove the ability to permit bed and breakfasts in the R-1 zone and allow them in the R-3 zone.

**15. ADJOURNMENT**

**MOVED by Councillors Blumenthal and Hetherington that the meeting adjourn at 10:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.**

Vi Carmichael  
Municipal Clerk