

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES September 14, 1999

PRESENT:

Mayor Walter Fitzgerald
Deputy Mayor Larry Uteck
Councillors: Gordon R. Snow
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
John Cunningham
Jerry Blumenthal
Graham L. Downey
Sheila Fougere
Russell Walker
Bill Stone
Stephen D. Adams
Bob Harvey
Peter Kelly
Reg Rankin
Jack Mitchell

REGRETS:

Councillor Graham Read

STAFF MEMBERS:

Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, 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.

ACKNOWLEDGEMENTS

Mayor Fitzgerald acknowledged the presence in the gallery of Mr. Ray O'Neil, former Councillor of St. John's, Newfoundland, and former President of the Federation of Canadian Municipalities; Mr. David Hendsbee, MLA (PC), Preston; and, Mr. Jerry Pye, MLA (NDP), Dartmouth North.

At a later point in the meeting, Councillor Adams introduced the players and coaches of the Jollimore Pelham Electric Mosquito B Provincial Champions, noting the team is on its way to Yarmouth for the Atlantic Canadian Championships. On behalf of Council, Councillor Adams wished the team all the best in this weekend's tournament.

2. PROCLAMATIONS - None

3. APPROVAL OF MINUTES - None

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

The following items were added to the agenda:

- 13.1 Councillor McInroy - Municipal Vehicles (automobiles, light trucks)
- 13.2 Councillor Schofield - Shannon Park School, Lack of Crossing Guard, Iroquois Drive
- 13.3 Councillor Sarto - Crosswalk Guard at Topsail Boulevard/Windward Avenue
- 13.4 Councillor Kelly - Halifax Regional Police Service - Police Complement
- 13.5 Councillor Kelly - Public Consultation Process
- 13.6 Report - Propeller Parts, Refit of the Harbour Ferry Halifax III
- 13.7 Labour Relations - NSUPE Local 13 Collective Agreement
- 13.8 Property Matter - Former Penhorn Park School Demolition
- 13.9 Property Matter - 6199/6225 Chebucto Road
- 13.10 Appointments - Boards and Commissions
- 13.11 Cornwallis Park, Halifax
- 13.12 By-Law N-200 Respecting Noise, Committee of the Whole Recommendation

Councillor Hetherington requested that Item 13.7 Labour Relations - NSUPE Local 13 Collective Agreement, be moved up on the agenda to follow Item 5 - Business Arising from the Minutes.

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

13.7 Labour Relations - NSUPE Local 13 Collective Agreement

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

Mr. David Reid, Chief Spokesman, Collective Bargaining, reported that NSUPE Local 13 has ratified and signed the new collective agreement, and it was now before Council for ratification and signature.

MOVED by Councillors Hetherington and Mitchell that Council ratify the Collective Agreement between Halifax Regional Municipality and NSUPE Local 13. MOTION PUT AND PASSED.

On behalf of Halifax Regional Municipality, Mayor Fitzgerald and Ms. Vi Carmichael, Municipal Clerk, signed the NSUPE Local 13 Collective Agreement. Mayor Fitzgerald took this opportunity to express thanks to Mr. Reid and the Negotiating Team.

5. BUSINESS ARISING FROM THE MINUTES - None

6. MOTIONS OF RECONSIDERATION

6.1 Councillor Schofield - Correctional Facility

- Correspondence from Mr. Gordon Gillis, Deputy Minister, Nova Scotia Department of Justice, dated September 3, 1999, regarding the Correctional Facility Forensic Psychiatry Hospital, was before Council for consideration.
- Correspondence from Mr. Tom Rath, General Manager, Corporate Real Estate Services, to Mr. Gordon Gillis, Deputy Minister, Nova Scotia Department of Justice, dated September 10, 1999, regarding the above, was before Council for consideration.
- Correspondence from Mr. Mike Brownlow, dated September 13, 1999, to The Honourable Michael Baker, Minister of Justice, regarding the above, was before Council for consideration.
- The following motion, regarding the above, was passed at the September 7, 1999 Regional Council meeting:

MOVED by Councillor Walker and Deputy Mayor Uteck that:

1. Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with the Province of Nova Scotia for Lot 920 on Colford Avenue in the Burnside Industrial Park, subject to the terms and conditions set out in the staff report dated September 2, 1999.
2. Subject to the approval of the Agreement of Purchase, that Halifax Regional Council authorize an amendment to Contract 99-236 to Dexter Construction Company Limited whereby the Company would extend municipal services and street construction for Colford Avenue a further distance of approximately 1000 feet such that Colford Avenue would be fully connected to Gloria McCluskey Avenue. Based on the Company's unit costs for Contract 99-236 the extension is to include the installation of municipal water and sewer mains plus construction of the street to municipal standard including taxes and contingencies.
3. Halifax Regional Council authorize the withdrawal of \$750,000 from the Sale of Land Reserve to pay for the cost of the contract amendment recommended above, plus the cost of engineering design and surveying for the street extension and the surveying of Lot 920; plus power poles and street lighting.
4. That Halifax Regional Municipality request the Province of Nova Scotia to consider including, in the exchange of lands between HRM and the Province of Nova Scotia for Provincial Correctional Facility and Forensic Psychiatry Hospital, the 50 remaining acres of land of the First Lake Watershed.
5. The exchange is inclusive of all taxes and charges that would otherwise be paid upon closing including HST and Deed Transfer Tax. However, the Province shall be responsible for all development permit fees, lot grading permit fees, street opening permit fees and building permit fees that might otherwise be due and payable to the Municipality in relation to the construction of the facility on Lot 920.
6. That the Province be requested to conduct a public consultation and information process on this project. **MOTION PUT AND PASSED**

*At that meeting, Councillor Schofield served a **Notice of Motion of Reconsideration**, Seconded by Councillor Hetherington, which was now before Council for consideration.*

MOVED by Councillors Schofield and Hetherington that the above motion of September 7, 1999, regarding the Provincial Correctional Facility and Forensic Psychiatry Hospital, be reconsidered.

Speaking in support of the Motion of Reconsideration, Councillor Schofield stated the Municipality should not be involved in residential development. The Councillor stated if the proposed facility is to be built in the Burnside Industrial Park, then the land should be sold to the Province rather than exchanged. With respect to community input, Councillor Schofield stated the community he represents has the same right as any other community

in the Municipality to have public participation. The Councillor reported that over the last four days, over 700 residents have signed a petition opposing the location of this facility. At a later point in the meeting, Councillor Schofield submitted this petition and requested that a copy be forwarded to the Minister of Justice (see Item 10 - Correspondence, Petitions). The Councillor stated some of the residents may not object to the facility if what is being proposed is explained to them, which has not yet occurred. In closing, Councillor Schofield expressed concerns with respect to policing, traffic, and the location of existing group homes, if the facility is relocated to Burnside.

Councillor Schofield requested a Recorded Vote.

A Recorded Vote was taken on the Motion of Reconsideration. **(10 in favour, 10 against)**
MOTION DEFEATED.

Members of Council voting **in favour** of the motion: Councillors: Snow, Greenough, Sarto, Hetherington, Schofield, Cunningham, Blumenthal, Downey, Adams, Kelly

Members of Council voting **against** the motion: Mayor Fitzgerald, Deputy Mayor Uteck, Councillors: Cooper, McInroy, Fougere, Walker, Stone, Harvey, Rankin, Mitchell

(Councillor Read was absent.)

As the Motion of Reconsideration was defeated, the original motion of September 7, 1999 stands.

7. MOTION OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS - NONE

9. PUBLIC HEARING

9.1 Case 00151 - Amendments to the Halifax Municipal Planning Strategy, the Halifax Peninsula Land Use By-Law, and the Halifax Mainland Use By-Law to incorporate policy and regulations concerning Billboards

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, dated June 28, 1999, regarding the above, was circulated to Council on July 6, 1999.
- A supplementary staff report prepared for Donna Davis-Lohnes, General Manager, Planning Services, regarding the above, was before Council for consideration.

- Correspondence from Ms. Jane Cale, 5795 Charles St., Halifax, regarding the above, was before Council for consideration.

Mr. Austin French, Regional Coordinator, Planning Services, presented the staff report which recommended that Council approve amendments to the Halifax Municipal Planning Strategy, the Halifax Peninsula Land Use By-Law and the Halifax Mainland Land Use By-Law, to incorporate policy and regulations concerning billboards, as set forth in Attachments 4, 5 and 6 of the staff report dated June 28, 1999, and to include provisions to restrict billboard development on a portion of the CN Right-of-Way as indicated in the supplementary staff report dated August 31, 1999.

Councillor Blumenthal expressed concern with enforcement and suggested there should be heavy fines for violations of these by-laws.

Responding to a question of Councillor Walker, Mr. French stated the proposed regulations have been, by virtue of the Municipal Government Act, deemed to be in effect since the second week in July. Councillor Walker inquired as to the required distance from the ground for billboard signs. Mr. French replied he will check the former City of Halifax Ordinance 166 to clarify the exact height and report back to Council. In response to an additional question of the Councillor, Mr. French stated given the regulations within the C-2 zone, signs can still be placed on the side of buildings in the downtown area.

In response to a question of Councillor Stone, Mr. French stated if these amendments are approved, they will apply only to future billboards and not existing ones. Councillor Stone noted most billboard problems exist due to abutting residential properties, and inquired why the setback requirement is only 100 feet rather than 250 feet as is the case for the park and institutional zones. Mr. French stated the 100 feet setback was originally selected to maintain consistency with amendments previously approved for the former City of Dartmouth and for ease of administering the by-law. Staff considered increasing the residential setback to 250 feet, but came to the conclusion that 100 feet should suffice given the 1,000 feet spacing provision and the fact that the 100 feet spacing is from the edge of the property and not from the dwelling.

Responding to an earlier request of Councillor Stone regarding controlling the content of billboards, Mr. Wayne Anstey, Municipal Solicitor, stated traditionally in Canadian jurisprudence, content and taste is a matter of criminal law. Mr. Anstey noted there have been many cases where municipalities have attempted to regulate content and the courts have invariably ruled it to be a subject of criminal legislation and, therefore, it falls within federal jurisdiction. Councillor Stone suggested a clear message has to be sent to the billboard companies that if objectionable advertising is continued to be used on their billboards, the Municipality may restrict the use of billboards entirely.

Councillor Kelly spoke in support of increasing the residential setback to 250 feet.

Councillor Fougere inquired if there are any plans to regulate murals and mobile signs. Mr. French responded that staff are currently working on a regional signs project, and mobile signs, in particular, will be a focus of this. Staff are aware of the proliferation of large wall murals, and there will also be a review of these signs. However, the only stipulation regarding murals in these proposed amendments is that the advertising component can only be 50 percent of the mural.

In response to a question of Councillor Hetherington, Mr. Anstey stated if lighting was regulated in the previous by-law and it was established as-of-right, it would still be a non-conforming feature. Mr. French stated it is his understanding that the lighting issue was regulated in the signage ordinance and is still in effect.

Responding to questions of Councillor Downey, Mr. French stated there have been leases granted to billboard operators relating to municipal lands.

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

Mr. David Boyd, Lakeview Avenue, Upper Sackville

Mr. Boyd addressed Council regarding billboards, stating the restrictions may create a movement of these billboards to areas of the Municipality outside of the traditional city. He suggested one uniform by-law that would cover the entire Municipality should be put in place rather than individual by-laws for each area.

In response to Mr. Boyd's comments, Mayor Fitzgerald noted it is anticipated that a uniform by-law for all of HRM will be introduced at a later date.

Ms. Debbie Hum, 169 Cresthaven Drive, Halifax

Ms. Hum addressed Council regarding billboards, stating there has been an influx of billboards in her area over the last few months, particularly along the Bedford Highway, the Wedgewood Motel area, and the Kearney Lake Road. Ms. Hum stated the billboards block the waterfront view, create clutter along the Bedford Highway, and create pedestrian and vehicle traffic safety concerns. Ms. Hum expressed particular concern with the billboards located at Avery's Farm Market on Kearney Lake Road, noting they are very close to the crosswalks and are also in a school zone. She suggested provisions to restrict billboards within a certain number of feet from crosswalks and school zones should be included in the proposed amendments. In closing, Ms. Hum stated she would like to

see some of the current billboards removed and that a grandfather clause not be included.

In response to a question of Mayor Fitzgerald, Ms. Hum stated billboards should not be permitted in residential areas. However, if they are permitted, she stated she would support the previous suggestion to increase the residential setback to 250 feet.

Mayor Fitzgerald called three times for additional speakers. Hearing none, the following motion was put on the floor.

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

COUNCIL DECISION

Councillor McInroy noted billboards are currently not permitted in the Cole Harbour Westphal plan area, nor are they wanted in Eastern Passage/Cow Bay. The Councillor stated a greater concern in these areas is the regulation of mobile signs. With respect to setbacks, Councillor McInroy stated residential property owners deserve at least the same respect and distance from billboards that is granted to parks, institutions and heritage properties, and would support any amendment in this regard.

Councillor Cunningham agreed with Ms. Hum's comment that the grandfather clause should not apply to billboards that are a safety hazard. The Councillor requested that such billboards be identified and reviewed by the Traffic Authority.

Councillor Kelly noted the Bedford MPS does not permit billboards and the community wishes this to be maintained. With regards to the residential setback, the Councilor requested that the recommendation be amended to revise this setback to 250 feet. Mayor Fitzgerald suggested this matter should be referred to staff for a report.

Councillor Stone agreed that billboards should not be permitted in areas with crosswalks and RA-5s due to the safety issue. The Councillor noted these proposed amendments are only interim measures to stop the proliferation of billboards, and a more comprehensive billboard by-law will be brought forward in the future. With respect to mobile signs, Councillor Stone stated they create as much of a problem as billboards, and requested that this issue be included in any amendments coming forward.

Councillor Blumenthal also suggested some grandfathering should be taken away and stronger enforcement of the by-laws should be implemented.

Councillor Greenough requested if consideration is given to amending the residential setback and grandfathering provisions for the Halifax by-law, that the same consideration be given to amending the Dartmouth by-law.

Mr. French noted if the setback is increased to 250 feet, it may require another Public Hearing which could delay the approval process.

MOVED by Councillors Mitchell and Kelly that a decision on this matter be deferred pending a staff report responding to the concerns raised by Council and the public regarding billboards and mobile signs.

Responding to concerns expressed by Councillor Stone regarding delaying the approval of these amendments, Mr. French stated staff can come back to Council with a report fairly readily. However, if a second Public Hearing is required, the advertising period will be approximately three weeks. Mr. Anstey noted permits that are inconsistent with the proposed regulations cannot be issued, as the 150 days have not yet expired.

MOTION PUT AND PASSED UNANIMOUSLY.

10. CORRESPONDENCE, PETITIONS

10.1 Councillor Fougere - Traffic Lights

Councillor Fougere submitted a petition from residents opposing the use of traffic lights at the corner of Connaught Avenue and Jubilee Road for the purpose of restricting traffic in the Armview/Pryor/Jubilee corridor, and demanding the restoration of the stop signs at the foot of Connaught Avenue to reduce the speed of the traffic and to ensure the safety of all, especially the children. Deputy Mayor Uteck noted these lights are currently considered to be temporary lights for a six month period, and will be reviewed at that time.

10.2 Councillor Snow - Paving of Les Collins Ave. - West Chezzetcook

Councillor Snow submitted a petition from property owners of Les Collins Avenue in West Chezzetcook in District 3 for paving of their street.

10.3 Councillor Hetherington - School Lunchtime Policy

Councillor Hetherington submitted a petition from concerned parents in the South Woodside school district protesting the new Lunchtime Policy fee for students. The Councillor requested that the petition be forwarded to the Halifax Regional School Board.

10.4 Councillor Schofield - Provincial Correctional and Forensic Institution

Councillor Schofield submitted a petition from residents opposing the proposed location of the Provincial Correctional and Forensic Institution in the Burnside Industrial Park. The Councillor requested that a copy of the petition be forwarded to the Minister of Justice.

11. REPORTS

11.1 NORTH WEST COMMUNITY COUNCIL

11.1.1 Tree By-Law

- A report from the North West Community Council, regarding the development of a Tree By-Law, was before Council for consideration.

MOVED by Councillors Kelly and Mitchell that staff be directed to move forward to develop an enhanced Tree By-Law that would more stringently regulate the cutting and removal of trees both on public and private property.

Councillor Hetherington raised concerns regarding regulating the cutting and removal of trees on private property. Mr. Anstey agreed to review provisions in the Municipal Government Act with respect to this issue. Councillor Cooper requested that staff also consider a ban on the cutting of black ash trees, noting there are only about 90 left in the Province. Councillor Stone requested that staff examine the possibility of requiring a development agreement or permit before trees are cut where there is development of large tracts of land near parks.

MOTION PUT AND PASSED UNANIMOUSLY.

11.2 SOLID WASTE RESOURCE ADVISORY COMMITTEE

11.2.1 Green Cart Nuisance Control and Collection Frequency

- An Information Report from the Solid Waste Resource Advisory Committee, regarding the above, was before Council for consideration.

Mr. Brian Smith, Director, Business Operations, reviewed the objectives of the solid waste resource management strategy, which were as follows:

- Maximize the 3 Rs
- Maximize the environmental sustainability and minimize cost
- Foster stewardship and conserve society values

Mr. Mark Bernard, Manager, Waste Resources, presented the information staff report to Council.

(Mayor Fitzgerald left the meeting at 7:30 p.m. and Deputy Mayor Uteck assumed the Chair.)

Mr. Meech suggested debate on this issue should be deferred to next week to allow Council the opportunity to review the information presented this evening.

MOVED by Councillors Greenough and Sarto that this matter be deferred to next week.

Councillor Blumenthal questioned the accuracy of the surveys referred to in the report, stating he has received complaints from residents regarding odors from the carts even though they are following the proper procedures for disposing waste. The Councillor inquired if consideration is being given for the future due to global warming.

Councillor Fougere expressed thanks to staff for the report, stating it clearly addresses all of her specific requests for information.

In response to a question of Councillor Adams, Mr. Bernard recommended that soap and water be used to clean the green carts, rather than vinegar.

Councillor Cunningham suggested residents can request paper bags from the grocery stores, rather than plastic, and these can be used to store the waste before placing it in the green carts.

Councillor Walker noted \$1.2 million is only 1¢ on the tax rate, and he has received calls from residents who would be willing to pay for the extra service. The Councillor inquired why residents cannot take their cart to the composting facility and dump it themselves without pay the \$25 fee.

(Mayor Fitzgerald returned to the meeting at 7:45 p.m. and assumed the Chair.)

In closing, Mr. Meech suggested, due to limited resources, Council needs to decide where on a priority list this issue would fit.

MOTION PUT AND PASSED.

11.3 CHIEF ADMINISTRATIVE OFFICER

11.3.1 Heritage Property Registration - 6 Armada Drive, Halifax (set date for public hearing)

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

MOVED by Councillors Stone and Walker that Council consider the recommendation of the Heritage Advisory Committee, as set out in the staff report dated September 9, 1999, at a Public Hearing on October 19, 1999. The Public Hearing will be advertised as per the requirements of the Heritage Property Act. MOTION PUT AND PASSED UNANIMOUSLY.

11.3.2 Case 00165: Proposed Telecommunication Facilities

- (a) 1030 South Park Street, Halifax
- (b) 6140 Coburg Road, Halifax

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

MOVED by Councillor Downey and Deputy Mayor Uteck that Halifax Regional Council support the proposal by Clearnet PCS Inc. to locate private commercial telecommunication facilities as proposed for 1030 South Park Street and 6140 Coburg Road, Halifax. MOTION PUT AND PASSED UNANIMOUSLY.

11.3.3 Project 00092 - Plan Review for Beaver Bank, Hammonds Plains and Upper Sackville - Water Service District Boundary: Maplewood on the Lakes

- A staff report prepared for Donna Davis-Lohnes, General Manager, Planning Services, regarding the above, was before Council for consideration.

Councillor Rankin noted this report should be brought forward with the main report regarding the MPS amendments for Upper Sackville/Hammonds Plains which will be before Council on October 5, 1999.

MOVED by Councillors Rankin and Sarto that the proposed Municipal Planning Strategy and Land Use By-Law for Hammonds Plains, Beaver Bank and Upper Sackville (attached to the staff report dated August 16, 1999) be revised to amend the water service district boundary to include Maplewood on the Lakes Subdivision. MOTION PUT AND PASSED UNANIMOUSLY.

11.3.4 Lease Agreement, Radio Equipment at the Relocated and Upgraded Knightsridge Back-Up HRM E911 Communications Centre

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

MOVED by Councillors Stone and Mitchell that Council approve the subject lease agreement covering Motorola radio and related equipment at the HRM 911 Communications Back Up Centre at the Knightsridge Fire Station. This back up centre provides HRM and HRF&ES with the same service level, dispatch and call taker positions, as at the existing centre. It replaces existing basic service level of the Back Up Centre at the Eric Spicer Building.

Deputy Police Chief Barss responded to questions of clarification from Councillor Kelly. The Councillor inquired if the possibility of eliminating sole sourcing will be examined in the next phase to held reduce the overall cost. The Deputy Chief responded in the affirmative.

MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS - None

13. ADDED ITEMS

13.1 Councillor McInroy - Municipal Vehicles (automobiles, light trucks)

Councillor McInroy requested a staff report regarding an inventory of municipal vehicles by department and assignment by name. The Councillor requested that the report also contain the policies developed in association with the use of municipal vehicles by HRM employees.

13.2 Councillor Schofield - Shannon Park School, Lack of Crossing Guard, Iroquois Drive

Councillor Schofield raised concerns regarding the lack of a crossing guard on Iroquois Drive, noting DND no longer provides this service. Deputy Police Chief Barss responded that a pedestrian/vehicular traffic survey of this area will be conducted next week. If it is proven that a need for a crossing guard exists, one will be provided.

13.3 Councillor Sarto - Crosswalk Guard at Topsail Boulevard/Windward Avenue

Councillor Sarto requested that Police Services examine the intersection of Topsail Boulevard/Windward Avenue to determine if there is a need for a crosswalk guard at this location.

13.4 Councillor Kelly - Halifax Regional Police Service - Police Complement

Councillor Kelly requested a staff report on the preliminary budget process as it relates to the Police Services complement. The Councillor inquired at what time will the communities have the opportunity to bring their concerns forward to Council regarding this issue.

13.5 Councillor Kelly - Public Consultation Process

Councillor Kelly noted an error in his memorandum regarding this issue, noting the expected surplus is not from the labour disruption, but rather from the projected amounts brought forward by staff with regards to next year's Operating and Capital Budgets. The Councillor requested a staff report to see how the public has responded to the current service levels to determine whether or not they are satisfied, or if they want to see these surplus funds directed to specific programs or services.

13.6 Report - Propeller Parts, Refit of the Harbour Ferry Halifax III

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

MOVED by Councillors Greenough and McInroy that Council authorize the purchase of propeller parts from Voith Hydro in the amount of \$129,758 DEM (estimated at \$107,200) plus 15% HST, and shipping, delivery and customs duty not to exceed an additional \$5,700. Funds are available in the Capital Account CVR00461, Halifax III, Mid-Life Refit. MOTION PUT AND PASSED UNANIMOUSLY.

13.7 Labour Relations - NSUPE Local 13 Collective Agreement

This item was addressed earlier in the meeting. (See Page 5)

13.8 Property Matter - Former Penhorn Park School Demolition

- This matter was discussed during an In Camera Session held prior to the public session and was now before Council for ratification.

MOVED by Councillors Greenough and Schofield Council approve the award of Tender No. 99-247, former Penhorn Park School Demolition, to Dexter Construction Limited, for materials and services listed at the unit prices quoted for a Total Tender Price of \$79,925.00, and a Total Project Cost of \$91,914.00 to be funded from the proceeds from the sale of this property. MOTION PUT AND PASSED UNANIMOUSLY.

13.9 Property Matter - 6199/6225 Chebucto Road

- This matter was discussed during an In Camera Session held prior to the public session and was now before Council for ratification.

MOVED by Councillors Fougere and Mitchell that Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with the Maritime Muslim Academy (MMA) and the Maritime Conservatory of Performing Arts (MCPA) for the property at 6199/6225 Chebucto Road based on the terms and conditions set out in the September 8, 1999 staff report.

Speaking against the motion, Councillor Blumenthal stated the Mi'kmaq people requested to buy the school in 1994-95 and were refused. The Councillor stated they should have been approached to see if they were interested in purchasing the property.

MOTION PUT AND PASSED.

13.10 Appointments - Boards and Commissions

- This matter was discussed during an In Camera Session held prior to the public session and was now before Council for ratification.

MOVED by Councillors McInroy and Sarto that Council approve the appointment of Stephen K. Mont and Terry Henley to the District Boundaries Advisory Committee; and that Council approve the nomination of Don Elder to the Halifax-Dartmouth Port Commission. The term of this appointment when effected, will be three years. MOTION PUT AND PASSED UNANIMOUSLY.

13.11 Cornwallis Park, Halifax

- This matter was discussed during an In Camera Session held prior to the public session and was now before Council for ratification.

MOVED by Councillors Downey and Schofield that Council accept the initiative by the Canada Lands Company to transfer ownership of Cornwallis Park and adjacent lands to the Municipality at no cost. MOTION PUT AND PASSED UNANIMOUSLY.

13.12 By-Law N-200 Respecting Noise, Committee of the Whole Recommendation

- This matter was discussed during a Committee of the Whole Session held prior to the public session and was now before Council for ratification.

MOVED by Councillors Greenough and Cunningham that:

- 1. Regional Council approve the suggested changes and give Second Reading to By-Law N-200 Respecting Noise with the following amendments:**
 - (a) the revised wording to Schedule C**
 - (b) the words “and open for vehicular traffic” being removed from Part 2, Section 12**
 - (c) with 7:00 a.m. being inserted after the word forenoon on Page 11, Part C.**

Councillor Kelly inquired if Police Services will continue to lay charges where appropriate even though the matters are currently before the Court. Mr. Anstey replied there is no reason why additional charges cannot be laid if they are continuing offences.

Councillor Harvey noted he was not present during the Public Hearing of this by-law and abstained from voting.

MOTION PUT AND PASSED.

14. NOTICES OF MOTION

14.1 Councillor Blumenthal - First Reading By-Law C-200 Respecting Municipal Cemeteries

TAKE NOTICE that at the meeting of Halifax Regional Council to be held on Tuesday, September 21, 1999, I intend to introduce a motion for First Reading of By-Law C-200 Respecting Municipal Cemeteries.

15. ADJOURNMENT

MOVED by Councillors Greenough and Fougere that the meeting adjourn at 8:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk