## HALIFAX REGIONAL MUNICIPALITY

# HALIFAX REGIONAL COUNCIL MINUTES November 16, 1999

PRESENT: Deputy Mayor John Cunningham

Councillors: Stephen Streatch

Gordon R. Snow Keith Colwell Ron Cooper Harry McInroy Jack Greenough Condo Sarto

Bruce Hetherington Clint Schofield Jerry Blumenthal Graham L. Downey Sheila Fougere Russell Walker

Bill Stone Graham Read Stephen D. Adams David Merrigan Bob Harvey Peter Kelly Reg Rankin Jack Mitchell

REGRETS: Mayor Walter Fitzgerald

STAFF MEMBERS: Mr. Ken Meech, Chief Administrative Officer

Mr. Barry Allen, Municipal Solicitor Ms. Vi Carmichael, Municipal Clerk

Ms. Patti Halliday, Assistant Municipal Clerk

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### 1. INVOCATION

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

## 2. SWEARING IN CEREMONY

The Honourable Judge Corrine E. Sparks administered the Oath of Allegiance and Office to the following successful candidates in the recent By-Election: Councillor-Elect Steve Streatch, District 1 (Eastern Shore - Musquodoboit Valley); Councillor-Elect Keith Colwell, District 3 (Preston-Porter's Lake); Councillor-Elect David E. Merrigan, District 19 (Upper Sackville-Beaver Bank).

The Deputy Mayor expressed thanks and gratitude to Judge Sparks for coming to Council this evening to administer the Oath of Allegiance and Office to the new Councillors.

Deputy Mayor Cunningham welcomed the new Councillors to Regional Council, and invited them to make a few comments. In response, Councillors Streatch, Colwell and Merrigan, addressed Council expressing thanks to their constituents, campaign workers, families, staff and fellow members of Council.

Deputy Mayor Cunningham noted a reception to welcome the new members of Regional Council will be held in Halifax Hall following the adjournment of this meeting.

#### **ACKNOWLEDGEMENT**

Deputy Mayor Cunningham acknowledged the presence in the gallery of the following: Mr. Bill Dooks, MLA - Eastern Shore; Mr. David Hendsbee, MLA, Preston; and, Mr. Brooke Taylor, MLA - Colchester-Musquodoboit Valley.

#### 3. PROCLAMATIONS

## 3.1 National Child Day

Deputy Mayor Cunningham proclaimed November 20, 1999 to be National Child Day.

#### 3.2 Drug Awareness Week

Deputy Mayor Cunningham proclaimed November 14 - 20, 1999 to be Drug Awareness Week.

On behalf of local committees on Drug Awareness, Councillor Walker presented Deputy Mayor Cunningham with a hat and T-shirt in recognition of Drug Awareness Week.

#### 4. APPROVAL OF MINUTES - None

# 5. <u>APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS</u> AND DELETIONS

The following items were added to the agenda:

- 13.1 Councillor Hetherington Dartmouth General Hospital
- 13.2 Councillor Sarto Chain Link Fence 68 Wildwood Boulevard
- 13.3 Request to move Information Item #8 (Winter Parking) to the Regular Council Agenda Councillor Walker
- 13.4 Councillor Stone Rosebushes on Dunback St. Request for Staff Report
- 13.5 Councillor Stone Crosswalks in Clayton Park West Request for Staff Report
- 13.6 Councillor Adams Recent Sable Gas Decision
- 13.7 Telecommunications/Cable Update
- 13.8 Board & Committee Recommendations

As he had to leave early, Councillor Hetherington requested that Item 13.1 Dartmouth General Hospital, be moved up on the agenda to be dealt with next.

Councillor Greenough noted a number of staff were present with respect to Item 13.3 Request to move Information Item #8 (Winter Parking) to the Regular Council Agenda, and, therefore, requested that this item be moved up to follow Item 13.1 Dartmouth General Hospital.

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

## 13.1 <u>Councillor Hetherington - Dartmouth General Hospital</u>

Councillor Hetherington reported that a number of rumours are circulating throughout the Dartmouth General Hospital and the community with respect to downsizing and closure of surgery. The Councillor stated the Dartmouth General Hospital is one of the largest outpatient facilities in Nova Scotia, which services the Eastern Shore, Sackville, Eastern Passage, Cole Harbour, Bedford, and Dartmouth. Over the last couple of years, Councillor Hetherington noted commitments have been made to expand the Emergency Services by \$6-\$8 million. The Councillor stated no downsizing of this hospital should occur, and requested that the Mayor's Office send a letter to the Minister of Health requesting information regarding this issue.

MOVED by Councillors Hetherington and Greenough that a letter be sent from the Mayor's Office to the Minister of Health (copied to the Premier and the Dartmouth

South MLA) requesting information regarding the status and the future direction of the Dartmouth General Hospital, and inquiring if there is any truth to the rumours that are circulating with respect to downsizing and closure of surgery.

Councillor McInroy spoke in favour of the motion, stating he supports Councillor Hetherington's comments.

#### MOTION PUT AND PASSED UNANIMOUSLY.

# 13.3 Request to move Information Item #8 (Winter Parking) to the Regular Council Agenda - Councillor Walker

 An Information Report from the Program and Service Review Committee, regarding the above, was before Council for consideration.

MOVED by Councillors Greenough and Schofield that Council adopt the recommendation of the Program and Service Review Committee to acknowledge the legal mandate of the Traffic Authority to retain an overnight parking ban.

Councillor Walker stated he would like to make an amendment, and put forth the following motion.

MOVED by Councillors Walker and Kelly that the motion be amended to include that it be recommended to the Traffic Authority that the application of the overnight parking ban apply to collector and arterial streets and during snowstorms.

Councillor Kelly stated the amendment is a fair compromise and gives staff the opportunity to test the process and gives the residents an opportunity to use common sense with respect to overnight parking.

Mr. David McCusker, Manager, Traffic and Transportation, stated staff considered applying the parking ban to certain critical streets, such as collectors and arterial roadways, but there were concerns with respect to implementation and enforceability.

Deputy Mayor Cunningham clarified that Council can only make a recommendation to the Traffic Authority, and Council cannot rule on this particular issue.

Councillor Fougere spoke in support of the amendment, stating there would still be a Provincial ban, which would apply to all the remaining streets, and prevent people from parking on the streets one hour after a snowfall. The Councillor expressed concern that nothing has been done to resolve this issue over the past year. Councillor Fougere noted one group of people that are very much affected by the overnight parking ban are shift

workers. The Councillor stated many of them have to be at work by 7:00 a.m., and when they park on the street they receive a ticket. With respect to snow clearing, ice control, and drainage clearing, Councillor Fougere noted this work is done during the day, when the ban is not in effect, without any difficulty.

Councillor Hetherington spoke against the amendment, stating cars will not be moved if a snowstorm commences at 2:00 a.m. The Councillor also stated the amendment will cause more cars to park on the side streets where the ban is not in effect. Councillor Hetherington expressed concern with emergency vehicles not being able to access a street if there is no parking ban.

Councillor Blumenthal stated he would like to see hilly streets included in the amendment. The Councillor suggested the parking ban needs to be opened up some, and expressed concern with tickets being issued when there is no snow. Councillor Blumenthal also expressed concern with enforcement, and stated if a ban is to be implemented, it needs to be enforced in all areas of HRM, and not just the urban areas.

Speaking against the amendment, Councillor Greenough stated the purpose of the ban is to address matters of safety and to enable access for emergency vehicles, and not for the purpose of raising revenue.

Mr. Kulvinder Dhillon, Director, Engineering and Transportation Services, stated staff's concern is mainly with ice control and safety.

Councillor Cooper spoke against the amendment stating there is no clear definition of arterial and collector streets, which would make enforcement difficult.

Speaking against the amendment, Councillor Schofield stated the parking ban is necessary.

Councillor Stone stated most residents see the need for a parking ban as they expect their streets to be cleared and salted. The Councillor stated he will not support the amendment or any changes to the current ban.

Councillor Read stated that weather patterns over the last few years illustrate the lack of need for an overnight winter parking ban. Therefore, the Councillor stated he would support the removal of it at this time. Councillor Read expressed concern that a parking ban may cause individuals leaving drinking establishments to drive their cars if they know they will receive a ticket if their vehicle remains on the street overnight.

Councillor Sarto stated he will not support the amendment due to safety concerns.

In response to a question of Councillor McInroy, Mr. McCusker stated the winter parking ban is consistent throughout the Municipality, as the Province has the same ban. With

respect to enforcement, Mr. McCusker stated staff is committed to achieving uniformity throughout the Municipality, including areas policed by the RCMP.

Councillor McInroy stated he cannot support the amendment as it would create difficulty for staff to determine what roads would be included.

Mr. Phil Cochrane, Manager, Streets and Roads, stated the parking ban is essential to providing snow and ice control services which ensure safety on public roads.

Closing the debate, Councillor Walker expressed concern with the time taken for this issue to come back to Council, stating it is unacceptable. The Councillor stated he is still not convinced an overnight winter parking ban is necessary. Councillor Walker noted the parking ban is not enforced in some areas of HRM and snow and ice control services are still provided. The Councillor further noted an average of five tickets were issued on nights when it stormed, so it has already been proven that people will remove their vehicles when it storms. With respect to buses, Councillor Walker stated they are not an issue as there is no bus service after 1:00 a.m. when the ban goes into effect. Councillor Walker stated some residents are in favour of the ban to control parking in front of their homes, which is not the purpose of the ban. In closing, the Councillor stated if the amendment is defeated, By-Law Enforcement Officers will need to be hired to do nothing but enforce this parking ban.

The vote was then taken on the amendment which read as follows:

MOVED by Councillors Walker and Kelly that the motion be amended to include that it be recommended to the Traffic Authority that the application of the overnight parking ban apply to collector and arterial streets and during snowstorms.

A **Recorded Vote** was requested by Councillor Walker.

The following members of Council voted **in favour** of the amendment: Councillors: Blumenthal, Fougere, Walker, Read, Adams, Merrigan, Kelly and Mitchell.

The following members of Council voted **against** the amendment: Deputy Mayor Cunningham, Councillors: Streatch, Snow, Colwell, Cooper, McInroy, Greenough, Sarto, Hetherington, Schofield, Downey, Stone, Harvey, and Rankin.

**MOTION DEFEATED** (8 in favour, 14 against) (Mayor Fitzgerald was absent.)

(Councillor Hetherington left the meeting at this time.)

Councillor Adams spoke against the parking ban stating the Nova Scotia Motor Vehicle Act addresses any concerns.

Councillor Blumenthal stated there needs to be some form of a ban, and, therefore, he will support the motion. However, the Councillor stressed that it must be enforced in all of HRM to ensure fairness.

Councillor Harvey noted the following system has worked for decades in Sackville: on nights when the temperature reaches 10 degrees, parking ban tickets are given low priority, and on nights when it is snowing, tickets are given a higher priority. The Councillor suggested this method should be used across HRM.

Councillor Merrigan stated there needs to be consistency across HRM with respect to winter street maintenance, and not just for the winter parking ban.

Councillor Walker stated he wants the Fairview Clayton Park area to be treated the same as the rural areas, and that no tickets be issued when there is no snow.

The vote was then taken on the main motion which read as follows:

MOVED by Councillors Greenough and Schofield that Council adopt the recommendation of the Program and Service Review Committee to acknowledge the legal mandate of the Traffic Authority to retain an overnight parking ban.

A **Recorded Vote** was requested by Councillor Walker.

The following members of Council voted **in favour** of the motion: Deputy Mayor Cunningham, Councillors: Streatch, Snow, Colwell, Cooper, McInroy, Greenough, Sarto, Schofield, Downey, Stone, Harvey and Rankin.

The following members of Council voted **against** the motion: Councillors: Blumenthal, Fougere, Walker, Read, Adams, Merrigan, Kelly, Mitchell.

**MOTION PASSED.** (13 in favour, 8 against) (Mayor Fitzgerald and Councillor Hetherington were absent.)

At a later point in the meeting, Councillor Walker served a **Notice of Motion of Reconsideration** on this issue, seconded by Councillor Kelly.

#### 6. BUSINESS ARISING FROM THE MINUTES - None

#### 7. MOTIONS OF RECONSIDERATION - None

#### 8. MOTION OF RESCISSION - None

#### 9. CONSIDERATION OF DEFERRED BUSINESS

- 9.1 Regional Heritage Advisory Committee Case 00166 Addition and Signage for 6 Armada Drive, the Caribou Lodge, (Bed & Breakfast), Halifax, NS
- A revised report from the Heritage Advisory Committee regarding the above, was before Council for consideration.

MOVED by Councillors Stone and Fougere that Council approve both the addition to the building and signage at 6 Armada Drive pursuant to the substantial alteration provision of the Heritage Property Act.

Speaking in support of the motion, Councillor Stone stated the property adds to the character of the neighbourhood.

#### MOTION PUT AND PASSED UNANIMOUSLY.

### 10. CORRESPONDENCE, PETITIONS & DELEGATIONS

#### 10.1 Petitions

## 10.1.1 Councillor Fougere - Traffic Lights at Connaught and Jubilee

Councillor Fougere submitted an additional 200 names to the on-going petition to remove the traffic lights at the corner of Connaught Avenue and Jubilee Road, bringing the total number of signatures to 2,400.

#### 10.2 Presentations

#### 10.2.1 <u>Bicycle Paths - Rebecca O'Brien</u>

 Correspondence from Rebecca O'Brien, dated September 24, 1999, regarding bicycle paths in Halifax, was before Council for consideration.

Ms. Rebecca O'Brien made a presentation to Council in support of bicycle paths in the Halifax Regional Municipality. In her presentation, Ms. O'Brien made the following comments:

- Cyclists in HRM face treacherous conditions daily.
- Every major Canadian city is actively implementing bikeways.

- There is an overwhelming and increasing concern regarding transportation issues in HRM, and it is time for bikeways in Halifax.
- TRAX is an Ecology Action Centre initiative funded by Environment Canada and its function is to focus on alternative transportation options for HRM.
- In order from TRAX to be effective, a relationship with Council is necessary, and the goals of the Climate Protection Campaign can be obtained.

In closing, Ms. O'Brien stated that thinking globally is important, but acting locally is where it starts.

Deputy Mayor Cunningham thanked Ms. O'Brien for her comments.

# 10.2.2 <u>Halifax Regional Development Agency - Annual Report (Helen Matheson, Chair, and Greg Brown, General Manager)</u>

 Copies of the Halifax Regional Development Agency's 1998-99 Annual Report were previously circulated to Council.

Ms. Helen Matheson, Chair, and Mr. Greg Brown, General Manager, Halifax Regional Development Agency, presented the 1998-99 Annual Report to Council.

Councillor Blumenthal congratulated the Halifax Regional Development Agency for its work. However, the Councillor expressed concern with the cost and the readability of the glossy format of the report.

Councillor Schofield also congratulated the Agency on its work. In response to questions of the Councillor, Mr. Brown stated salaries and benefits for 1998-99 were only slightly higher than 1997-98, but the funding has increased. The cost of printing the annual report was approximately \$4,000 of a \$20,000 communications budget.

Deputy Mayor Cunningham thanked Ms. Matheson and Mr. Brown for their report.

## 11. REPORTS

#### 11.1 CHIEF ADMINISTRATIVE OFFICER

#### 11.1.1 Parking Meter Advertisements

 A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration. MOVED by Councillors Sarto and Walker that Council authorize staff to proceed with a one year pilot project with Meter-Ad for parking meter advertisements on the terms and conditions outlined in the staff report dated October 26, 1999.

Councillor Downey expressed concern that the Spring Garden Road BIDC was not consulted with respect to this form of advertising, and requested that this matter be deferred to next week to allow them the opportunity for input.

MOVED by Councillors Downey and Merrigan that this matter be deferred to next week.

Councillor Blumenthal noted there are parking meters in other areas of the Municipality and suggested there may be other organizations who would like to also provide comment on this issue.

In response to a question of Councillor Stone, Mr. Peter Ross, Acting Director of Finance, stated the proponent has requested a five year contract after the trial period, if a market is developed.

Councillor Sarto requested that staff provide information with respect to the size and material of the proposed advertisements when the issue comes back next week.

#### MOTION PUT AND PASSED.

#### 11.1.2 Sign Encroachment - 6669 Bayers Road

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

MOVED by Councillors Fougere and Mitchell that Council not approve Sign Permit Application No. 007256. MOTION PUT AND PASSED UNANIMOUSLY.

- 11.1.3 <u>Case 00155: Application by Steve Tsimiklis to rezone a portion of 6860-72</u>
  <u>Quinpool Road (set date of December 14, 1999 for Public Hearing</u>
- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Fougere and Stone that Halifax Regional Council give First Reading to the proposed rezoning of a portion of 6860-72 Quinpool Road (portion of lot 98), Halifax, from P (Park and Institutional) to R-1 (Single Family Dwelling) and to

schedule the Public Hearing for December 14, 1999. MOTION PUT AND PASSED UNANIMOUSLY.

### 11.1.4 First Reading By-Law T-202 Respecting Tax Exemption

 A report from the Grant Committee, regarding the above, was before Council for consideration.

# MOVED by Councillors Fougere and Walker that By-law T-202 Respecting Tax Exemption be given First Reading.

Councillor McInroy requested that staff provide clarification on the ownership status of three properties in his District that are included in the schedules of By-Law T-201

Councillor Kelly requested that staff provide information with respect to the tax status of the Atlantic Winter Fair grounds when the By-Law comes back for Second Reading.

Councillor Colwell noted a typographical error in the By-Law with respect to the address of the Marine Drive Fighting for Futures. The building is located on Hwy #7 and not Pine Lane as indicated in the report.

#### MOTION PUT AND PASSED UNANIMOUSLY.

#### 12. MOTIONS

### 12.1 Councillor Rankin

• The following Notice of Motion was served by Councillor Rankin at the November 9, 1999 meeting of Regional Council: that Council request staff to prepare a report on the planning implication for all of HRM regarding the 800 metre setback on temporary rock crushers recently approved for Beaver Bank, Hammonds Plains and Upper Sackville.

Councillor Rankin stated that, based on discussion with several staff members and Councillors, he would like to change the motion, clarifying the intent would be to allow the issue of temporary rock crushers to be examined in the context of quarries which would be the subject of a more comprehensive review that will take place some time later next year. If any changes were contemplated, it is understood that review would be held with the respective Planning Advisory Committees in the local areas.

MOVED by Councillors Rankin and Schofield that the issue of temporary rock crushers be examined in the context of quarries, which will be the subject of a more comprehensive review to take place some time later next year.

Councillor McInroy expressed concern with the process, stating that the motion being considered should be the one reflected in the Notice of Motion of November 9, 1999. The Councillor noted a motion passed on November 10, 1999 by the Harbour East Planning Advisory Committee deals specifically with a recommendation to Council on this subject.

Councillor Rankin stated he only wanted to identify that there is an opportunity to examine rock crushers during the pending review of quarries, and the review would not come back to Council until it was before the respective Planning Advisory Committees.

#### MOTION PUT AND DEFEATED.

#### 13. ADDED ITEMS

## 13.1 <u>Councillor Hetherington - Dartmouth General Hospital</u>

This item was addressed earlier in the meeting.

## 13.2 Councillor Sarto - Chain Link Fence - 68 Wildwood Boulevard

With the use of an overhead, Councillor Sarto illustrated concerns of the residents of 68 Wildwood Boulevard with respect to pedestrians shortcutting across their property and vandalism to the property. The Councillor requested a staff report examining the possibility of HRM installing a chain link fence for 68 Wildwood Boulevard which borders municipally owned land. The Councillor submitted a letter from the residents of this property, as well as a surveyor's location certificate, which he requested be forwarded to the appropriate staff.

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

# 13.3 Request to move Information Item #8 (Winter Parking) to the Regular Council Agenda - Councillor Walker

This item was addressed earlier in the meeting.

## 13.4 Councillor Stone - Rosebushes on Dunbrack St. - Request for Staff Report

Councillor Stone reported he has received phone calls with respect to the height of the rosebushes on Dunbrack Street, particularly along the sidewalk area. The Councillor requested a staff report regarding what plans are in place to trim these bushes. Council agreed to the request for a staff report.

# 13.5 <u>Councillor Stone - Crosswalks in Clayton Park West - Request for Staff</u> Report

Councillor Stone requested a staff report examining the need for crosswalks and crossing guards in Clayton Park West, due to the new elementary school being built in this area which will open in September. Council agreed to the request for a staff report.

#### 13.6 Councillor Adams - Recent Sable Gas Decision

Councillor Adams congratulated Sempra Atlantic Gas, who earlier today was awarded distribution rights for natural gas in Nova Scotia. However, the Councillor expressed concern with some of the targets put forward by the Provincial government, stating citizens of HRM will end up subsidizing gas distribution throughout the Province. In closing, Councillor Adams stated the goal of the Sable Gas Committee is commitment to ensuring HRM and its citizens derive the maximum benefit from the distribution of natural gas throughout HRM.

Councillor Blumenthal stated the Municipalities need to stick together on this issue to ensure fairness for all Nova Scotians. Commenting on the issue, Councillor Schofield stated all municipalities deserve a share of the benefits should they materialize.

## 13.7 <u>Telecommunications/Cable Update</u>

 This item was addressed at an In Camera session held prior to the Regular Session, and was now before Council for ratification.

MOVED by Councillors Sarto and Greenough that staff be authorized to continue with its efforts to develop Municipal Access Agreements (MAA's) with all HRM telecommunication service providers with the objective of obtaining agreements which contain:

- a fee schedule comparative with that now in place for MTT
- a 10 year agreement
- excess capacity for general use
- opportunities for HRM to access reasonable cost networking services

GIS information on any new infrastructure at no cost to HRM

#### MOTION PUT AND PASSED UNANIMOUSLY.

#### 13.8 Board & Committee Recommendations

 This item was addressed at an In Camera session held prior to the Regular Session, and was now before Council for ratification.

MOVED by Councillors Blumenthal and Stone that Council approve the membership appointments to Boards Committees and Commissions, as recommended by the Membership Selection Committee, with the following amendments:

- (a) Councillor Fougere be appointed to the Solid Waste Advisory Board.
- (b) The CAO or his alternate be appointed as staff representative to the Halifax Regional Water Commission.

Requests from Councillor Snow and Mitchell regarding membership on the Grant Committee and the Dangerous & Unsightly Premises will be forwarded to the Membership Selection Committee for review.

#### MOTION PUT AND PASSED UNANIMOUSLY.

#### 14. NOTICES OF MOTION

## 14.1 Councillor Walker

Earlier in the meeting, Councillor Walker served a Notice of Motion of Reconsideration with respect to the overnight winter parking ban (Item 13.3)

#### 15. ADJOURNMENT

MOVED by Councillors Blumenthal and Greenough that the meeting adjourn at 8:30 p.m. MOTION PUT AND PASSED UNANIMOUSLY.