

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
DECEMBER 14, 1999
MINUTES

- PRESENT: Deputy Mayor John Cunningham
Councillors: Steve Streach
Gordon R. Snow
Keith Colwell
Ron Cooper (3:55 p.m.)
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
Jerry Blumenthal
Graham L. Downey
Sheila Fougere
Russell Walker
Bill Stone
Graham Read
Stephen Adams
David Merrigan
Robert Harvey
Peter Kelly
Reg Rankin
Jack Mitchell
- ABSENT: Mayor Walter R. Fitzgerald (Regrets)
- STAFF: Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Barb Moar, Acting Municipal Clerk (part)
Ms. Julia Horncastle, Assistant Municipal Clerk (part)
Ms. Patti Halliday, Assistant Municipal Clerk (part)

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1. INVOCATION

Deputy Mayor Cunningham called the meeting to order at 3:00 p.m. with the invocation and welcomed Councillor-Elect Sue Uteck who was present in the gallery.

ACKNOWLEDGMENT

Deputy Mayor Cunningham noted that interpretative services are being provided and the Council Session is being signed to the hearing impaired residents of HRM.

At a later point in the meeting, Councillor Blumenthal extended best wishes to Mr. Earl Nagle, a retired HRM firefighter who is currently in the hospital.

2. PROCLAMATIONS

2.1 Alzheimer Awareness Month - January 2000

Deputy Mayor Cunningham proclaimed January, 2000 as Alzheimer Awareness Month in Halifax Regional Municipality.

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 Downey - Grant - Restoring Historic Properties
- 13.2 Report - Heritage Case 00004 - Smith Street Fire, Halifax
- 13.3 Property Matter - 263 Waverley Road
- 13.4 Property Matter - 2611 Sackville Drive
- 13.5 Legal Matter - Worldwide Telecom (Canada) Inc. (Hospital Point)

Councillor Schofield requested Item 11.4.11 - FCM Homeless Resolution - Financial Implications be moved up on the agenda prior to 11.4.1.

Councillor Walker requested Information Item #5 - Memorandum from Deputy Chief Administrative Officer dated December 10, 1999 re: Multi-Year Financial Strategy - Capital Pool Procedures be placed on the January 4, 2000 agenda.

The following information items were added to the agenda:

1. Memorandum from Chief of Police re: Discharge of Firearm
2. Memorandum from Municipal Clerk dated December 14, 1999 re: Interpretive Services - Regional Council Sessions

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

5. **BUSINESS ARISING OUT OF THE MINUTES - NONE**

6. **MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS - NONE**

9. **PUBLIC HEARINGS**

This item was addressed later in the meeting. (Page 13)

10. **CORRESPONDENCE, PETITIONS**

10.1 **Petitions**

Councillor Streach submitted a petition on behalf of the residents of Middle Musquodoboit and a letter of support from Brooke Taylor, MLA, in support of a by-law prohibiting the use of engine brakes (Item 11.1.5)

11. **REPORTS**

11.1 **MEMBERS OF COUNCIL**

11.1.1 **Councillor McInroy**

(i) **Snow Removal December 1st**

Councillor McInroy advised he had presented a report to Mr. Kulvinder Dhillon highlighting some of the issues of concern throughout the Eastern Passage/Cole Harbour South District during the storm of December 1st and requested a staff report in response.

MOVED by Councillors McInroy and Hetherington that a staff report be requested responding to the concerns expressed with regards to snow removal in District 5

during the December 1st snowstorm.

Councillor Hetherington advised the Councillors in the Eastern Region have met with the supervisors to discuss problems experienced during the above noted storm and have received assurance that they are being addressed.

MOTION PUT AND PASSED.

- (ii) **Illegal Flourescent Mobile Signs, Cole Harbour Road and**
- (iii) **Private Signs Illegally Located on Municipal Property**

Councillor McInroy advised these signs are a problem in the Cole Harbour area and in many instances are placed illegally. He advised they are not permitted on a property that is within the confines of a development agreement and others are on Municipal property. The Councillor advised businesses in the Cole Harbour area are not permitted to have off site signage according to the Land Use By-Law.

MOVED by Councillors McInroy and Kelly that a staff report be requested to investigate the development of a by-law to address these signs as well as directing staff as to their legal authority with respect to these signs such as the ability to remove from Municipal property.

Councillor Kelly suggested that if a sign is illegally placed, the By-Law Enforcement Officers be given the authority to remove the sign thus placing the onus on the sign owner to contact the Municipality to rectify the situation.

In response, Mr. Anstey, Municipal Solicitor, advised staff has the authority to remove signs located on Municipal property.

Councillor Stone noted that there are many differing types of signs illegally placed throughout the Municipality and there is inadequate enforcement personnel to address this.

Councillor Adams referenced an incident on Lacewood Avenue and queried why only one individual had his signs destroyed and taken away.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.2 Councillor Cooper - Domestic Water Pressure - Westphal Area

This item was addressed later in the meeting. (Page 19)

11.1.3 Councillor Blumenthal

(i) Overhead Crosswalk Lights

Councillor Blumenthal advised that between Gottingen and Agricola Streets there is only one crossing area which is located on the corner of Fuller Terrace. The Councillor advised that the street is going to be widened and requested that before it is widened, this crosswalk between Fuller Terrace and North Street be one of the first to have the new crosswalk lighting installed. He referenced the corner of Almon and Gottingen Streets and noted that this is a busy crossing during the day and, with the traffic being generated by Stadacona, it is becoming a dangerous crossing. The Councillor requested this crossing also be considered for the new crossing lights.

MOVED by Councillors Blumenthal and Schofield that staff consider installing upgraded crosswalk lights at the corner of Fuller Terrace and North Street and the corner of Almon Street and Gottingen Street.

Councillor Greenough requested staff investigate the placing of an overhead crosswalk light on Braemar Drive at the location of the public boat launch.

Councillor Snow requested staff consider an overhead crossing light at Blue Hill Road in Fall River and in the vicinity of the Waverley Post Office.

MOTION PUT AND PASSED.

(ii) Crosswalks

Councillor Blumenthal advised that there is a danger at intersections with traffic filling in the crosswalks and not being alert to the crossing of pedestrians and advised he would request staff investigate the possibility of reinstating the motorcycle police under the upcoming budget.

11.1.4 Councillor Merrigan

- (i) Beaver Bank Sewer and Water Phase III and**
- (ii) Beaver Bank Sewer and Water - Future Phases**

Councillor Merrigan advised he is seeking information with regards to Beaver Bank Sewer and Water and made the following motion:

MOVED by Councillors Merrigan and Adams that staff provide a report on how much the Phase III services are going to cost and when this problem is going to be solved

in other parts of the community. **MOTION PUT AND PASSED.**

11.1.5 Councillor Kelly - Jake Brake By-Law Review and Recommendation

MOVED by Councillors Kelly and Streach requested staff review and bring forward a recommendation with regards to the control and restriction on the use of Jake Brakes.

Councillor Kelly noted these brakes are banned from use in other parts of the country as they are a noise nuisance.

Councillor Streach clarified that a Jake Brake is an engine brake on a large diesel truck that reverses the operation of the valves to cause compression to slow the vehicle down advising they are very noisy and unwarranted in communities where speeds are 50 km or less. The Councillor submitted a petition from the residents of Middle Musquodoboit and correspondence from Brooke Taylor, MLA, in support of the request.

MOTION PUT AND PASSED UNANIMOUSLY.

11.2 PROGRAM AND SERVICE REVIEW COMMITTEE

This item was addressed later in the meeting. (Page 20)

11.3 REGIONAL TAXI & LIMOUSINE COMMITTEE

11.3.1 Recommended Amendments to Halifax Regional Municipality By-Law T-100, Regional Taxi and Limousine Committee By-Law

- A report from Councillor Stephen Adams, Chair, Taxi and Limousine Committee, dated November 3, 1999, on the above noted, was before Council.

MOVED by Councillors Adams and Greenough that the Halifax Regional Municipality By-Law T-100, Respecting the Regional Taxi and Limousine Committee be amended so that the Committee be comprised of:

- 1. 3 driver/owners (one from each zone)**
- 2. 2 Councillors**
- 3. 2 citizens**
- 4. 1 limousine representative**
- 5. 3 brokers (one from each zone)**

Councillor Stone expressed concern and queried whether this committee was necessary

and, if so, how should it be mandated referencing the way the sub-committee is chosen.

MOVED by Councillors Stone and Read that the recommendation for the composition of the taxi committee be referred to staff for a report on its appropriateness.

Councillor Blumenthal clarified there would be a requirement for a public hearing to amend the by-law relative to committee structure.

Councillor Hetherington advised he was not in agreement with the committee composition including representatives of the taxi and limousine industry. The Councillor suggested it be comprised of Councillors and citizens at large only with the industry being afforded and opportunity at the meetings to provide input.

MOTION TO REFER DEFEATED.

MAIN MOTION PUT AND PASSED.

10.3.2 Appeals - Sub-Committee of the Regional Taxi and Limousine Committee

- A report from Councillor Stephen Adams, Chair, Regional Taxi and Limousine Committee, dated November 25, 1999, on the above noted was before Council.

MOVED by Councillors Adams and Kelly that Subsection (1) of Section 73 of Halifax Regional Municipality By-Law T-108 be repealed and replaced with (the recommendation) that the Chair shall appoint three (3) members of the (Regional)Taxi and Limousine Committee to the Appeals Subcommittee, and at the Chair's discretion, the three (3) members appointed would vary depending on the zone in which the appellant is licensed.

Without any discussion or a vote on the above motion, the following motion was placed for consideration:

MOVED by Councillors Hetherington and Blumenthal that the set up of the Committee be referred to legal for a report.

Councillor Hetherington advised this would not affect the public hearing process that was approved under preceding item.

MOTION PUT AND PASSED.

11.3.3 Small Tour Operators

- A report from Councillor Stephen Adams, Chair, Regional Taxi and Limousine Committee, dated November 3, 1999, on the above noted, was before Council.

MOVED by Councillors Adams and Kelly that small tour operators using vans not be allowed in Halifax Regional Municipality as they are not covered under the regulations or the Motor Vehicle Act (Motor Carrier Act).

Councillor Adams advised these vehicles could not be licensed as there are no licenses available to accommodate them as there is a moratorium in place on the issuance of new taxi vehicle license in both Halifax and Dartmouth.

Councillor Hetherington queried what constituted a small tour van. In response, Mr. Anstey, Municipal Solicitor, advised the reason this was before Council was that a question had arisen as to whether this activity fell within the definition of taxi as defined in the By-Law. He advised it was concluded that it did and the Municipality under the legislation does have the ability to regulate these vehicles noting, you do not regulate taxi's but rather vehicles for hire.

Councillor Fougere noted the conflict arises in that these vans are seven passenger vans and because such are not regulated under the Motor Vehicle Carrier Act in the Province of Nova Scotia they do not fit into the definition of a taxi and, as a result, are illegal because they are considered vehicles for hire. Councillor Fougere advised safety issues are addressed under the Motor Vehicle Act and recommended Council consider Option 3 of the staff report which recommends amending the Taxi By-Law to define what a small tour operator is thus exempting these vans from the Taxi By-Law so they can operate their businesses.

Councillor Blumenthal expressed concern that these vehicles could apply for accessible taxi status. In response, Mr. Anstey, Municipal Solicitor, advised that as a tour vehicle the start and end of a trip are the same, whereas a taxi does not do this - it is a one way trip.

Councillor Greenough expressed concern with Option 3 as it is not addressing the issue and suggested Council seek an amendment to provincial legislation which would allow for the small tour operators to exist and function within some framework that would achieve better treatment of tourists. In response, Mr. Anstey, Municipal Solicitor, advised Option 2 is doable without seeking provincial amendments.

Councillor Adams suggested Council ask the provincial government to make amendments to the Motor Carrier Act to accommodate this use and have staff investigate how they are regulated in other municipalities.

MOTION DEFEATED.

Councillor Fougere served notice of motion that Council amend the Taxi and Limousine By-Law to define tour vehicles and provide that the By-Law does not apply to such vehicles.

Deputy Mayor Cunningham ruled the notice of motion out of order at this time.

Subsequently, the following motion was placed:

MOVED by Councillors Adams and Hetherington that Council ask the Province to make amendments to the Motor Carrier Act to accommodate the small tour operators and direct staff to investigate how small tour operators are regulated in other Municipalities throughout Canada. MOTION PUT AND PASSED.

Councillor Fougere requested this report come forward as soon as possible.

11.4 CHIEF ADMINISTRATIVE OFFICER

As agreed upon during the Approval of the Order of Business, Council dealt with Item 11.4.11 next on the agenda.

11.4.11 FCM Homelessness Resolution - Financial Implications

- A report prepared for Mr. K.R. Meech, Chief Administrative Officer, dated December 9, 1999, on the above noted was before Council.

Councillor Schofield noted that on November 23, 1999 there was a request from the FCM Big City Mayor Caucus to support their efforts in obtaining Federal funding for housing for the homeless across Canada.

MOVED by Councillors Schofield and Blumenthal that:

1. **Halifax Regional Council make known its support for the involvement of the Canadian government in actively addressing the housing needs of Canadians and most particularly social housing needs for those most at risk, and to that end,**
2. **Regional Council resolve that Mayor Fitzgerald send a letter of support to the FCM Big City Mayors Caucus, National Task Force on Homelessness which clearly outlines our support for the major involvement, spiritually and**

financially of the Government of Canada in addressing social housing needs of Canadians, and that copies of such a letter be sent to HRM MLS's, MP's, relevant provincial and federal cabinet ministers, and other relevant or interested parties to be determined.

Councillor Rankin noted that approval of this recommendation would put HRM on record urging the Federal Government to become involved in housing.

MOTION PUT AND PASSED.

11.4.1 Tender #99-097 - Two (2) New Multi-purpose Fire Fighting Apparatus for the Halifax Regional Fire and Emergency Service

- A report prepared for Mr. K. R. Meech, Chief Administrative Officer, dated December 7, 1999, on the above noted, was before Council.

MOVED by Councillors Greenough and Downey that Regional Council authorize the award of Tender #99-097 to the lowest bidder, American LaFrance for the purpose of two (2) new fully equipped multi-purpose fire fighting apparatus at a cost of \$1,554,911.78 (CDN), plus HST, with funding provided as outlined in the Budget Implications section of the staff report. MOTION PUT AND PASSED.

MOVED by Councillors Walker and Greenough that Council recess at 5:15 p.m. until 6:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Deputy Mayor Cunningham called the meeting back to order at 6:00 p.m. Council resumed the Order of Business beginning with the Public Hearings.

9. PUBLIC HEARINGS

9.1 Street Closure - Portion of India Road and Nivens Avenue

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

With the use of overheads, Mr. Tom Crouse, Property Analyst, Real Estate Services, presented the staff report.

Deputy Mayor Cunningham called three times for members of the public wishing to speak either in favour of or against the recommendation. 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 Schofield and Hetherington that Council approve Administrative Order SC-19, concerning the Closure of a Portion of India Road and Nivens Avenue, as shown as Schedule "A" in the staff report dated December 2, 1999; and that Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby Parcel IR1, comprising of approximately 946 square feet is conveyed to the owner of Civic No. 3 India Road, Ms. Blanche Silver. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 Case 00155 - Application by Steve Tsimiklis to Rezone a Portion of 6860-72 Quinpool Road

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

With the use of overheads, Mr. Gary Porter, Planner, presented the staff report.

In response to a question of Councillor Fougere regarding site access, Mr. Porter stated there will continue to be just one driveway.

Responding to questions of Councillor Read, Mr. Porter stated the total width of the right-of-way is approximately 175 feet. The land has already be sold by CNR and the current owner has owned the land for several years.

Deputy Mayor Cunningham called for members of the public wishing to speak either in favour of or against the rezoning.

Mr. Alan Ruffman, 202 Ferguson's Cove Road, Halifax

Mr. Ruffman expressed concern with the fact that maps were not included in the Public Hearing advertisement, stating just the civic address does not provide enough identification for people who do not live in the immediate area.

(Councillor Adams took his place at the meeting at 6:20 p.m.)

Mr. Ruffman suggested Council defer making a decision on this application, and refer the matter back to staff to negotiate a right-of-way across the back of the property to allow residents future access to the trail system from Quinpool Road, if it is eventually located

in that area. Mr. Ruffman noted if Council does not approve the rezoning, the owner will have to prove to the Appeal Board that it is the appropriate strategy, in order to have it approved.

Mr. Hugh Pullen, 6262 Oakland Road, Halifax

Mr. Pullen spoke against the rezoning, noting there are transportation problems in the Municipality and land is required to resolve these problems. Mr. Pullen suggested Council should defer making a decision on this application until it determines the future transportation plans for the Halifax Regional Municipality.

Mr. Michael Moore, Solicitor for the Applicant

Mr. Moore spoke in support of the application, stating it is consistent with the Municipal Planning Strategy. He questioned if the Municipality will be negotiating easements across every backyard that has been purchased by residents through the south and west end of Halifax and all the way through the city. Mr. Moore stated staff has correctly addressed the issue regarding the use of a trail system throughout the Peninsula. He suggested there would probably be liability issues associated with building any type of public walkway along the edge of a 40-50 foot embankment, which would be the case with this property. Mr. Moore noted there are no other immediately adjacent landowners that would be adversely affected by this application. In closing, Mr. Moore asked that Council give due consideration to the application of Mr. Tsimiklis.

Deputy Mayor Cunningham called three times for additional 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 Hetherington and Greenough that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

Councillor Fougere suggested this matter should be deferred until after the swearing in of Councillor-Elect Sue Uteck, District 13 - Northwest Arm-South End, as there are some concerns of people in the immediate area.

MOVED by Councillors Fougere and Walker that this matter be deferred until after the swearing in of Councillor-Elect Sue Uteck.

Deputy Mayor Cunningham noted Councillor-Elect Uteck will be sworn in on January 4, 2000.

Councillors Read and Blumenthal spoke in support of the deferral.

MOTION PUT AND PASSED UNANIMOUSLY.

9.3 Case 00159 - Development Agreement to Permit a Temporary Parking Lot at 1731-41 Barrington Street - 1728-30 Granville Street

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.
- Correspondence from Douglas W. Brown, 2 Fenwick Street, Dartmouth; Susan Brown, 6279 Duncan Street, Halifax; and, Randy and Patricia Mosher, Green Rider Ltd., in support of the development agreement, was before Council for consideration.

Mr. Gary Porter, Planner, presented the staff report, noting a change in the agreement attached to the staff report. He stated the agreement was initially drafted with Sonco as a party to the agreement, but if the agreement is approved, it will just be between Truscan Realty Limited and Halifax Regional Municipality. Mr. Porter noted staff is recommending that Council approve the proposed development agreement.

In response to a question of Councillor Downey, Mr. Porter stated Council can change the length of the term of agreement, however the applicant believes a five year term is necessary to make the project viable due to the capital costs.

Responding to a question of Councillor Read, Mr. Porter stated the project can proceed without the encroachments on the sidewalk, but it would mean the elimination of the benches which staff believe is a positive feature.

In response to a question of Councillor Colwell, Mr. Ken Meech, Chief Administrative Officer, stated the value of the property would be increased based on revenue generations, and, therefore, there would be increase in the property taxes.

Deputy Mayor Cunningham called for members of the public wishing to speak either in favour of or against the development agreement.

Ms. Debbie McIsaac, Vice-President of Operations, Sonco Property Development

Ms. McIsaac thanked Council for the opportunity to have this Public Hearing and staff for their time and effort, stating Sonco is very pleased to be involved with this project which will be a definite improvement to the site and will help solve the downtown parking problem.

Ms. Sue Watson, 2664 Fuller Terrace, Halifax

Ms. Watson stated she was speaking as a representative of the TRAX Project, Ecology Action Centre. Ms. Watson made the following two suggestions with respect to the property in question:

- If the development agreement is approved, it should be a requirement that designated spaces for van/car pools and bicycle facilities be provided.
- If the temporary parking lot is approved, it would be an excellent opportunity for Council to eliminate parking in the Grand Parade Square, and provide a public park in its place.

In closing, Ms. Watson stated if these suggestions were implemented, the Municipality would be demonstrating its commitment to control greenhouse gas emissions.

Mr. Alan Ruffman, 202 Ferguson's Cove Road, Halifax

Mr. Ruffman expressed concern with the lack of demolition controls in the Municipality, noting buildings can be torn down before approval is given of what will be built in its place. He suggested that Council should reject the development agreement and request that a building of merit, that would complement the surrounding buildings, be built on this property in its place.

Mr. Tom Swanson, AGRA Whitman Benn, Consultant to Sonco and Truscan

Mr. Swanson stated they have been attempting to find permanent long-term uses for this site, such as a hotel or office building. After several years of exploring opportunities, an economically viable project has not been achieved; however, this will be an on-going process. Mr. Swanson stated the capital cost of the parking improvements will be insignificant compared to the cost of a building on that site. A five year period will be required to recover the costs of the parking lot.

In response to a question of Councillor Blumenthal regarding the designation of car/van pools parking spaces, Mr. Swanson stated they would be willing to give these vehicles priority. He noted that Mr. Porter has suggested that initially the majority of the parking spaces should be designated for hourly parking, and at a later date, a larger portion could be converted.

Responding to a question of Councillor Downey regarding a three year agreement, Mr. Swanson reiterated that five years are required to recover the capital costs, and stated he could not make that commitment on behalf of his client. Mr. Meech stated if Council decided it wanted a three year agreement, this would have to be taken back to the

applicant to see if it is acceptable or not.

In response to a question of Councillor Read regarding the possibility of an entrance into the lot off George Street, Mr. Swanson stated this was examined with staff and it was rejected due to economic factors and concerns expressed by staff of Traffic and Transportation.

Responding to various questions of Councillor Stone, Ms. McIsaac stated the parking lot will be blocked when it is closed. With regards to bicycle facilities, Ms. McIsaac stated this can be explored. In terms of proposed future building height on this property, Ms. McIsaac stated seven to eight storeys is the highest they have examined to date.

In response to a question of Councillor Schofield, Ms. McIsaac stated the five year period will recover costs and will also generate some revenue to offset the costs of the owner holding the vacant lot.

In closing, Mr. Swanson stated the type of development they have been looking at for this site would cost approximately \$150 per square foot. Therefore, an eight storey building would cost around \$12,000 per square foot, which would require an anchor tenant that could carry this type of cost. Until such a tenant can be found, the parking lot will enhance this vacant lot.

Rebecca O'Brien, 6034 Cherry Street, Halifax

Ms. O'Brien suggested Council should make an amendment to the development agreement to designate five parking spaces for car/van pool vehicles. She added this would be a great model for HRM parking lots to follow.

Deputy Mayor Cunningham called three times for additional members of the public wishing to speak either in favour of or against the development agreement. 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 Downey and Read that this matter be deferred to the next Council meeting, and that staff be directed to approach the applicant to request that the term of the agreement be amended to three years.

Councillor Blumenthal stated he would not support a parking lot in the downtown area no

matter what the term of the agreement.

MOTION PUT AND DEFEATED.

MOVED by Councillors Greenough and McInroy that:

1. **Halifax Regional Council approve a development agreement, attached as Appendix "A" to the staff report dated November 16, 1999, to permit a temporary parking lot at 1731-41 Barrington Street - 1728-30 Granville Street.**
2. **Halifax Regional Council approve a 225 square foot encroachment at 1731-41 Barrington Street.**
3. **Council require that the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED.**

10. CORRESPONDENCE, PETITIONS

This item was addressed earlier in the meeting.

11.1.2 Councillor Cooper - Domestic Water Pressure - Westphal Area

Councillor Cooper requested that a letter be sent to the Halifax Regional Water Commission to evaluate domestic water pressure in the Humber Park area and the final phases of Forest Hills to determine what the potential water pressure will be as these areas are developed, and what action will be taken to bring in up to what is considered a 40 pound standard.

Councillor Hetherington requested that the letter also request information regarding the same problem in the Inishowen subdivision. Councillor Sarto requested that the letter also request that the response include the water pressure problems experienced by the residents of the latter part of Mount Edward Road.

MOVED by Councillors Cooper and Schofield that a letter be sent to the Halifax Regional Water Commission regarding the concerns expressed regarding domestic water pressure. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 PROGRAM AND SERVICE REVIEW COMMITTEE

11.2.1 Business Strategies

- A report from the Program and Service Review Committee regarding the above, was before Council for its consideration.
- Copies of the staff presentation “Business Strategies for a Stronger Community” were circulated to Council.

With the use of overheads, Ms. Stephanie Coldwell, Financial Consultant, Financial Planning, presented the report to Council.

Responding to questions of Councillor Kelly, Ms. Coldwell made the following comments:

- Some of the strategies will be coming forward in the Business Plans over the next year.
- A set of performance measures will be included in each Business Plan. In those areas where benchmarks are not yet set, this will be a priority in the Business Plan.
- It would be Council’s decision if there is to be a change to the strategy areas.

Councillor Kelly stated it would be helpful if staff provided Council with the performance measurement devices and/or benchmarks currently in place.

Councillor Blumenthal inquired how greater accountability can be obtained from the Greater Halifax Partnership. Mr. George McLellan, Deputy Chief Administrative Officer, stated the part of the purpose of the presentation is to determine if this is what Council intended. With regards to accountability of the Greater Halifax Partnership, Mr. McLellan stated staff needs direction from Council as to what it wants. He suggested the Partnership should be included in discussion of this. Mr. Meech added that staff is attempting to get a consensus from Council as to how performance should be measured. Staff is indicating to the Partnership that clear understanding needs to be achieved as to what particular services it is going to provide to HRM. Once these services are agreed upon, it can be decided how performance measurement will be done.

Councillor Greenough stated a great deal of work has been done with respect to the business strategies, and more will need to be done as the process evolves. The Councillor expressed thanks to Ms. Coldwell, Mr. McLellan and their staff for the work they have done to date.

MOVED by Councillors Greenough and Hetherington that:

1. **Council endorse “Business Strategies for a Stronger Community” as the priorities for the Halifax Regional Municipality over the next three to five years.**
2. **Council adopt a Communications/Media Strategy for community information and feedback.**

Councillor McInroy expressed concern that not enough emphasis is being placed on feedback, and stated he hopes this can be changed at some point, if necessary. Ms. Coldwell stated if Council wants more information regarding the logistics of the community information sessions, staff can provide this. In response to a question of Councillor McInroy regarding when the information will be available on the HRM web site, Ms. Coldwell stated it is her understanding that it will be available relatively early in the new year.

Councillor Read suggested additional sectors should be added to the key audiences of the communications and media strategy, such as the non-profit sector and the military, and brought into the discussions along with other levels of government. The Councillor suggested there should also be a non-profit sector speaking engagement tactic to ensure that all sectors of society buy into this process.

Mr. Meech reiterated that, in terms of communication, it is the intent to share with the community what Council has decided at this point and where the focus will be over the next three to five years.

Councillor Colwell commended staff on the direction they are taking, noting the Municipality is evolving and moving forward. The Councillor expressed concerns with accountability and the Greater Halifax Partnership and the Regional Development Agencies, and stated he is pleased staff will set a structure to evaluate what they are doing for the money the Municipality is investing with them.

Responding to a question of Councillor Cooper, Ms. Coldwell stated the visioning report should be coming forward to Council in June 2000. She stated that it is her expectation that the information that will come back from the visioning exercise will take some significant period of time to start to get to the point where it is operationalized with respect to the Municipality. If there are some clear directions that come forward from that process that suggest the Municipality needs to make significant effort in a totally different direction, then the time frame to operationalize that will be reduced.

Councillor Cooper inquired if the internal auditing of HRM process will be continued to be developed in this process, to which Mr. McLellan replied in the affirmative.

In closing, Councillor Cooper suggested it may be time to evaluate whether or not the Municipality has enough public relations resources to achieve all the objectives.

Councillor Greenough stated that prior to amalgamation, the four former municipal units were spending in excess of \$3 million on economic development marketing, compared to the \$800,000 HRM provides to the Greater Halifax Partnership. The Councillor suggested that the value HRM is receiving is very well spent. Councillor Greenough suggested the Partnership should be invited to appear before Council early in the new year to make an in-depth presentation to respond to the questions raised regarding accountability.

Responding to a question of Councillor Streach, Mr. McLellan stated staff will continue to work with the development community in terms of where development will take place.

In response to a question of Councillor Snow, Mr. Meech stated it is anticipated that there will be one public meeting in each Community Council area, but more meetings can be held if required.

Councillor Sarto expressed concern that it may not be possible to achieve all the goals in the nine areas in five years. The Councillor stated he would rather the Municipality focus on being successful in one or two areas rather than attempting to be successful in all nine areas.

Councillor Schofield also voiced concerns with the Greater Halifax Partnership and the Regional Development Agencies. The Councillor stated the business strategies are good ones and will lead HRM in the right direction. Councillors Blumenthal and Mitchell also spoke in support of the plan.

MOTION PUT AND PASSED UNANIMOUSLY.

11.4.2 All Type Self Storage Fire - 960 Barrington Street

- An Information Report prepared for Michael Eddy, Chief Director, Fire Services, regarding the above, was before Council.

In response to a question of Councillor Walker, Chief Eddy stated the response times indicated in the report are exact as they are received from dispatch where they are recorded. The reason for the question marks are anomalies such as people leaving the station and not calling back in, or some other radio transmission being recorded as having arrived when, in fact, they have not. Councillor Walker stated it is his understanding that all dispatch and arrival calls are taped. Chief Eddy replied that this is correct, and this information can be transcribed off the data log. Mr. Bruce Burrell, Manager of Safety, stated to have these arrival times recorded the dispatcher has to manually activate a key

to record the time. A copy of the tape has been recorded for this fire, but not yet received or reviewed. Therefore, this report was prepared from the hard copy of the dispatch report. Councillor Walker stated he would like to have this transcription at some point.

Responding to further questions of Councillor Walker, Chief Eddy stated having some empty stations is not unlike most other cities and the pre-amalgamation municipal units. Councillor Walker stated he will be bringing forward a request to increase the Fire Services complement during the upcoming budget deliberations.

Councillor Blumenthal expressed concern that there are not enough firefighters in HRM. The Councillor requested information regarding the cost of keeping volunteer firefighters in the core area and how many full-time firefighters could be obtained for the same cost. Councillor Blumenthal suggested an auxiliary fire service should be explored to fill in for vacations, sick leave and serve as a hiring pool. Chief Eddy responded that discussions have taken place with respect to an auxiliary fire service.

Councillor Blumenthal expressed concern with a recent newspaper article regarding comments from another union regarding the HRM Fire Services, stating it has hurt morale of the department. The Councillor praised the members of the Fire Services for the job they do with the available resources.

Responding to a question of Councillor Downey, Chief Eddy stated the Department of National Defense was not used for back up service in this fire.

Councillor Harvey stated this Council has confidence in Chief Eddy and his senior staff to manage the Fire Services and to advise Council when additional staff is required. The Councillor stated he will be looking to the budget for any recommendation that involves increasing staff and the justification for it, rather than to other Councillors to decide how many firefighters are needed. Councillor Harvey suggested the use of volunteers should be examined to determine if they are being used as effectively as possible, are they being integrated and trained with other firefighters, and is there a need to consolidate fire stations.

Councillor Colwell spoke in support of the use of volunteer firefighters, and suggested the reinstatement of them within the core area should be examined, to provide back up service in cases such as this. Chief Eddy stated there probably would have been enough personnel and resources for a second fire, but would be concerned if there was a third fire at the same time. The Chief addressed the issue of fire station relocation, noting having three stations strategically located in Dartmouth would be more effective than the current four stations. In closing, Councillor Colwell commended Fire Services for their work on the All Type Storage fire.

Councillor Hetherington also congratulated the firefighters for their work on this fire and the one this week on Smith Street in Halifax. The Councillor stated empty fire stations are to be expected when a major fire is being fought.

Councillor Kelly stated the volunteers are as well trained, and in some cases better trained, than the full-time complement and are there to compliment the overall process. The volunteers of Bedford have been continually asking to be involved in all aspects of the Fire Services operations.

With respect to the volunteer service, Chief Eddy stated he would not support the total elimination of this service, even with an auxiliary force. However, he would support an auxiliary force in combination with volunteers.

Councillor Schofield suggested better locations for the fire stations may need to be determined.

Responding to a question of Councillor Stone, Chief Eddy stated that HRM has enough Fire Services personnel to handle the normal day-to-day operations. With respect to major emergencies such as this, outside areas need to be called upon for assistance. With regards to equipment, Chief Eddy stated there is a need to replace equipment on a yearly basis

In response to a question of Councillor Merrigan, Chief Eddy stated there were approximately four firefighters left in Sackville during the All Type Storage fire, compared to the average number of ten. Councillor Merrigan stated the volunteers provide a major service and suggested an inventory should be taken to determine what level of training they have to see what assistance can be provided to upgrade their skills.

Councillor Colwell stressed the importance of maintaining the volunteer fire service.

Councillor Cooper noted the volunteer firefighters can also be used as a hiring pool. Chief Eddy replied it was his vision that the auxiliary service would be made up from the volunteers.

Chief Eddy thanked Council for the praise given of the Fire Services, noting it is very much appreciated.

11.4.3 First Reading By-Law S-101 to Amend By-Law S-100 Respecting Sewer Charges

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

MOVED by Councillors Stone and Sarto that Council give First Reading to By-Law S-101 to Amend By-Law S-100 Respecting Sewer Charges. MOTION PUT AND PASSED UNANIMOUSLY.

11.4.4. Project No. 00177 - Request by BARWIL Developments to Amend the Service Boundary of Cole Harbour/Westphal MPS and Halifax Co. Subdivision By-Law.

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

MOVED by Councillors McInroy and Cooper that Council request staff to:

1. **Initiate a process to amend the Municipal Planning Strategy for Cole Harbour/Westphal and Subdivision By-Law for the former Halifax County Municipality in order to consider the removal of six lots located on Sapphire Street from the Service Boundary in exchange for the inclusion of six lots located on Pearl Drive and Carlisle Drive extension within the Service Boundary; and,**
2. **Follow the Public Participation program in accordance with the Public Participation Resolution adopted by Regional Council on February 25, 1997. MOTION PUT AND PASSED UNANIMOUSLY.**

11.4.5 Street Name in Memory of Douglas Bertram MacDonald

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

Councillor Walker stated the family of Douglas Bertram MacDonald is very pleased with the recommendation.

MOVED by Councillors Walker and Fougere that Council approve the naming of the playground facility in the Westmount Subdivision in memory of Douglas Bertram MacDonald. MOTION PUT AND PASSED UNANIMOUSLY.

11.4.6 Oil Storage Tank Replacement - Halifax Ferry Terminal

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

MOVED by Councillors Hetherington and Greenough that Council approve the recommendation that the required funds for the emergency work regarding the oil storage tank and the Halifax Ferry Terminal be drawn from the Capital Reserve (Sale of Capital Assets), and that Council approve approximately \$38,000 (not including taxes) from the Capital Reserve Account No. Q101-6399. MOTION PUT AND PASSED UNANIMOUSLY.

11.4.7 Project 00181 - Clearing of Land Adjacent to Hemlock Ravine Park/Protection of Trees on Private Property

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

Councillor Stone spoke in support of the staff recommendation and put the following motion on the floor.

MOVED by Councillors Stone and Walker that Council endorse an educational program designed to encourage and promote the protection of trees on private lands in concert with staff and groups with an interest in tree preservation in HRM. The focus would be on preservation of sensitive private lands abutting parks.

Councillor Read endorsed the staff recommendation, but stated he would like to eventually see something stronger in a regulatory sense, quoting sections from the MPS developed almost twenty years ago which may accomplish this. Mr. Austin French, Regional Coordinator, Planning Services, stated there are certain types of regulatory ability that are available in other jurisdictions in Canada which cannot be done under the Municipal Government Act. However, there are avenues that can be explored within the Land Use By-Laws and the educational program is not meant to forestall all other options, and other opportunities will be explored.

MOTION PUT AND PASSED UNANIMOUSLY.

11.4.8 Case H00001 - 1260 Blenheim Terrace, Deregistration of Lots 2E-2 and 2A-1

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

MOVED by Councillors Downey and Schofield that Regional Council set the date of

January 18, 2000 for a Public Hearing to consider the Heritage Advisory Committee's recommendation to deregister Lots 2E-2 and 2A-1, 1260 Blenheim Terrace, as shown on the map attached to the staff report dated November 9, 1999, in accordance with the approved Heritage Agreement and Section 16 of the Heritage Property Act. MOTION PUT AND PASSED UNANIMOUSLY.

11.4.9 Otter Lake Receiving Hall Expansion

- A staff report prepared for Brian Smith, Director, Business Operations, regarding the above was before Council for consideration.

MOVED by Councillors Rankin and Mitchell that Council:

- 1. Instruct staff to proceed with the expansion of the receiving hall at the Otter Lake Front End Processing facility; and,**
- 2. Amend the existing MIRROR NS contract to reflect this modification to allow for payment of \$72 per tonne for the waste processed above the existing design maximum of 460 tonnes per day; and,**
- 3. Upon completion of the receiving hall; declare the Halifax Transfer Station surplus and refer to Real Estate Services for disposal, with proceeds to be applied to the Solid Waste System Capital.**

Councillor Rankin spoke in support of the recommendation, stating it is an expansion of the facility and will not alter the process itself. The Councillor noted this new approach will remove the Municipality from the risk of increased waste export costs. Councillor Rankin stated the life of the new facility is expected to be twenty years, while the mortgage is only for five years, so greater benefits will be accrued after that five year period.

In response to a question of Councillor Stone, Mr. Mark Bernard, Manager, Waste Resource Division, stated it is intended that this expansion will be completed by March 31, 2000; however, staff is approaching Queens for a contingency plan in the event there is a delay.

Speaking in support of the motion, Councillor Stone emphasized the importance of promoting recycling and composting to reduce the amount of waste.

Councillor Read expressed concern with the distance and cost for homeowners to dispose of home renovation waste. As a result, the Councillor noted that much of this waste ends up at the Front End Processor. Councillor Read suggested that, in the future, a more convenient location could be found to dispose of this waste. With respect to the ICI

sector, the Councillor Read suggested they should be making the same effort as the private homeowners to source separate waste.

Councillor Blumenthal expressed thanks to Councillor Rankin and the Solid Waste Resource Advisory Committee for their work in closing the Halifax Transfer Station.

MOTION PUT AND PASSED UNANIMOUSLY.

11.4.10 Extension of Early Retirement Program to the Halifax County Regional Rehabilitation Centre

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

MOVED by Councillors McInroy and Cooper that:

- 1. Halifax Regional Council approve and extension of the Early Retirement Program for staff of the Halifax County Regional Rehabilitation Centre, such program to be administered on a basis similar as that offered by the HRM and terminating June 30, 2001.**
- 2. Halifax Regional Council authorize a loan not exceeding \$85,000 to the Halifax County Regional Rehabilitation Centre which shall be used solely for the purpose of funding bridge benefits to members who meet certain criteria and apply for the early retirement program, with repayment being in the same amount from amalgamated surplus of the former Halifax County plan now part of the assets of the Halifax Regional Municipality Pension Plan when such surplus is available for distribution. MOTION PUT AND PASSED UNANIMOUSLY.**
- 12. MOTIONS - None**
- 13. ADDED ITEMS**
 - 13.1 Councillor Downey - Grant - Restoring Historic Properties**
 - 13.2 Report - Heritage Case 00004 - Smith Street Fire, Halifax, NS**

Councillor Downey expressed thanks to Fire Services for their work controlling the recent fire on Smith Street, which involved several heritage properties. The Councillor expressed concern with the staff recommendation to approve demolition applications, in principle, noting some of the owners may want to restore their properties. Ms. Donna Davis-Lohnes,

General Manager, Planning Services, clarified that the applications would only be approved if they meet specific conditions such as the application must be made before January 4, 2000 and the structural integrity of the building must be compromised to justify demolition. Councillor Downey stated a report should be received from the Heritage Advisory Committee before this is approved. Mr. Meech suggested Council could give approval of the staff recommendation in principle, subject to the approval of the Heritage Advisory Committee. Councillor Downey agreed with Mr. Meech's suggestion.

MOVED by Councillors Hetherington and McInroy that Council:

- 1. Approve "in principle" demolition applications for 5232, 5238, 5240, 5242, 5244-46 and 5250 Smith Street, provided that there is both staff support and that certain requirements outlined in this report are met.**
- 2. Advise staff to provide an update to the Heritage Advisory Committee of this matter at the next session (December 22, 1999), and that this recommendation be subject to the approval of the Heritage Advisory Committee.**

Councillor Harvey stated the owners of these buildings need to be given some breathing space to decide what they would like to do. However, if the matter becomes an issue of public safety, the Councillor agreed the buildings should be demolished.

MOTION PUT AND PASSED.

13.3 Property Matter - 263 Waverley Road

- This matter was addressed earlier at an In Camera meeting and was now before Council for ratification.

MOVED by Councillors Greenough and Sarto that Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for Parcel "B," as shown on the plan attached to the staff report dated December 6, 1999, measuring approximately 1087 square feet, subject to verification by site survey, to the Port Wallis Congregation of the United Church of Canada, for the sum of \$1.50 per square foot, plus all applicable taxes and adjustments on closing, on condition that all additional costs, including legal fees and survey costs, be borne by the Congregation. Further, that Council authorize staff to set the date for a Public Hearing to consider Halifax Regional Municipality Administrative Order SC-20, concerning the Closure of a Portion of the Waverley Road as shown on Attachment 1 of the staff report dated December 6, 1999 as Parcel "B." MOTION PUT AND

PASSED UNANIMOUSLY.

13.4 Property Matter - 2611 Sackville Drive

- This matter was addressed earlier at an In Camera meeting and was now before Council for ratification.

MOVED by Councillors Mitchell and Rankin that Council authorize the Mayor and Municipal Clerk to enter into an agreement of Purchase and Sale for 2611 Sackville Drive to Mr. and Mrs. Neil Pitchuck; as shown on Attachment "A" of the staff report dated December 8, 1999 for \$71,500 as settlement in full, plus any additional taxes and adjustments that may be applicable. MOTION PUT AND PASSED UNANIMOUSLY.

13.5 Legal Matter - Worldwide Telecom (Canada) Inc. (Hospital Point)

- This matter was addressed earlier at an In Camera meeting and was now before Council for ratification.

MOVED by Councillors Hetherington and Adams that, based on the legal advice provided by staff, and subject to Worldwide Telecom entering into an agreement which includes the terms and conditions attached to the staff report, that Council, on a without prejudice basis, acknowledge Worldwide's position that its Hospital Point Project is not subject to the HRM Land Use Regulations nor is a development permit required; and that the Mayor and Municipal Clerk be authorized to execute said agreement.

Councillor Adams stated this project is being commenced on an area that is zoned R-2. However, because this is under the auspices of the CRTC and other federal agencies, and the fact that the decision to allow this to proceed is based on the BNA Act, constitutional and case law, the zoning regulations for this project do not apply. The Councillor noted this project will allow the capacity of fibre optics to almost triple from North America to Europe, and will allow access to the fibre optics for HRM businesses and citizens. Councillor Adams expressed thanks to Ms. Mary Ellen Donovan, Solicitor, for her work in pursuing this and ensuring that it is done properly.

Councillor Stone noted this matter was raised at last night's Chebucto Community Council meeting, and it is his understanding that staff are going to provide the information to those who addressed the Chebucto Community Council, so they will receive the same information provided to Council as to why this is being done and the ramifications.

MOTION PUT AND PASSED UNANIMOUSLY.

14.1 Councillor Greenough

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on Tuesday, January 4, 2000, I intend to introduce a motion to amend Section 22 (1)(h) Administrative Order Number One. The intent of this motion is to allow public hearings regarding Planning issues to be scheduled on an as needed basis at any regular Council session.

15. ADJOURNMENT

Deputy Mayor Cunningham noted that Council will be on a break until January 4, 2000, and took this opportunity to wish everyone a Merry Christmas and Happy Holidays.

MOVED by Councillors Hetherington and Blumenthal that the meeting adjourn at 9:55 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk