

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL

September 24, 1996

PRESENT:

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

REGRETS:

Councillor Bill Dooks

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 an invocation.

2. APPROVAL OF MINUTES: SEPTEMBER 10, 1996

As a point of clarification, Councillor Hendsbee noted under Section 9.1.2 Ribbon of Dreams AIDS Benefit - Mr. Darrell S. Simms, the second sentence in the second paragraph should read as follows: "However, the meeting was advised of other AIDS disease related causes that were supported by Halifax Regional Municipality."

MOVED by Councillor Hetherington and Deputy Mayor Greenough that the minutes of September 17, 1996 be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

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

The Municipal Clerk requested the following additions to the Agenda:

- 12.1 Appointment - Transportation Association of Canada
- 12.2 Cancellation of Council Meeting - October 8, 1996

Councillor Rankin requested that Item 5 - Memorandum from Commissioner of Regional Operations dated Sept. 16/96 re: Provincial Cost Shared Roads be added. It was agreed that this item would be added to the October 1 agenda.

Councillor Hendsbee requested that Halifax International Airport and Keddy's Hotel be added. It was agreed that this item would be added to the October 1 agenda.

MOVED by Councillors Blumenthal and Hetherington that the Order of Business and Approval of Additions and Deletions to the Agenda be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING FROM THE MINUTES - None

5. MOTIONS OF RECONSIDERATION

5.1 Councillor Epstein: School Bus Service - Severance and Retirement Proposal

- ! Letters from the Nova Scotia Union of Public Employees dated September 23, 1996 and September 24, 1996 regarding the School Bus Service - Severance and Retirement, and Corrections to NSUPE's Sept. 17th Written Presentation to Council, respectively, were before Council.

MOVED by Councillors Epstein and Hetherington that the following motion passed on September 17, 1996 be reconsidered:

“MOVED by Councillor Rankin and Hanson that Council not approve the request by NSUPE for a supplementary severance and retirement package for employees of the school bus service. MOTION PUT AND PASSED.”

At the request of Councillor Epstein, a Recorded Vote was taken.

The following members of Council voted in favour of the Motion of Reconsideration: Councillors Snow, Hendsbee, Hetherington, Schofield, Blumenthal, Epstein, Walker, Adams.

The following members of Council voted against the Motion of Reconsideration: Mayor Fitzgerald, Deputy Mayor Greenough, Councillors Cooper, McInroy, Sarto, Cunningham, Downey, Uteck, Stone, Hanson, Barnet, Harvey, Kelly, Rankin, Mitchell.

MOTION OF RECONSIDERATION PUT AND LOST.

6. **MOTIONS OF RESCISSION - None**
7. **CONSIDERATION OF DEFERRED BUSINESS - None**
8. **PUBLIC HEARINGS - None**
9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS - None**
10. **REPORTS**
- 10.1 **Councillor Adams**
- 10.1.1 **Regulations for Mobile Signs**

! A memo from Councillor Stephen Adams regarding regulations for mobile signs, was before Council.

MOVED by Councillors Adams and Mitchell that staff be requested to prepare a report regarding the application of the By-law regarding mobile signs in the former City of Halifax, as there appears to be inconsistencies in the application of it. The staff report is to also consider changes to the By-law to ensure it is consistent across the entire municipality.

In discussion of the Motion, the following aspects were requested to also be considered in the report:

- ! Councillor Kelly asked that the report give reflection of community views on this issue.
- ! Councillor Cooper asked that the report consider a model by-law proposed by the industry for the Halifax County municipality approximately a year and a half ago. Also, that consideration be given to time limited electronic signs that could be standardized throughout the municipality.
- ! Councillor Sarto requested that the problem of signs being placed too close to curbs causing visibility problems for drivers be considered in the report. Also, mobile signs being placed on city reserve land.

Following a suggestion by Councillor Cunningham, the Mover and Seconder agreed that the Motion should consider the sign by-law as a whole and not just mobile signs.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 Grant Committee

10.2.1 Grant Committee Recommendations Report 4

- ! A report prepared by Councillor David Hendsbee, Chairman, Grants Committee, recommending approval of the Grant Committee Recommendations Report 4, was before Council.

MOVED by Councillors Hendsbee and Cooper that Halifax Regional Council approve the grant recommendation as found in Appendix 5, for a total value of \$145,300.00 and that Council also provide the Commissioner of Community Services with the authority to permit waiving of fees, on a case by case basis, for the Upper Hammonds Plains Community Development Association - building affordable housing project.

In discussion of the report, several Councillors raised concern with the recommendation of a \$10,000 grant for Nova Theatre. Some Councillors indicated that Nova Theatre was given a one time grant last year by the former City of Halifax for their marketability study. They questioned the purpose of the additional grant this year. Councillor Hendsbee noted Nova Theatre originally requested \$25,000 but the Grant Committee was only recommending \$10,000 to further finish the study. Councillor Epstein noted there was a critique prepared by the Manager of Neptune Theatre regarding the lack of room for both Neptune Theatre and Nova Theatre in the marketplace. He asked if the Grants Committee had an opportunity to review this report. Councillor Hendsbee replied that they did not, and, therefore, would be willing to withhold the \$10,000 grant for Nova Theatre until the application can be reviewed further.

Councillors also expressed concern with other organizations who received one time grants last year and were receiving grants again this year, one being Dartmouth Non-Profit Housing. Councillor Hendsbee replied that all non-profit housing was a concern to the

Grant Committee. Therefore, they are arranging a meeting with the Minister of Housing to discuss this. Mayor Fitzgerald stated he did not think this was part of the mandate of the Grants Committee, and Council should be taking the leading role in this issue.

Concern was also expressed regarding the Grants Committee making long term commitments. Councillor Hendsbee responded that the next election will be in October 2000 and the budget for fiscal year 2000-2001 should be in place before that time. Therefore, they are not committing past their mandate.

Some Councillors expressed concern with funding Coverall Home Services as it is a private business. Councillor Walker replied the Committee felt this grant was justified as the area is not covered by Metro Transit or Access-a-Bus.

Councillors Blumenthal and Downey questioned why The Word on the Street was not granted any money. Councillor Walker replied the Committee felt since this was an organization that rented tables and appears to make money, the Committee did not think they had a great need for funding. Some Councillors spoke on the importance of this event, and Councillor Snow stated he would be willing to put \$200 from his Councillor's fund towards it if the other Councillors did the same.

Several members of Council commended the members of the Grants Committee for their dedication and work in the grant process. While some Councillors criticized funding cultural organizations, other Councillors stressed their importance to the community in terms of businesses choosing to locate here and in educational work they provide to young musicians.

With regards to the second recommendation of the report dealing with the waiving of fees for the Upper Hammonds Plains Community Development Association, Mayor Fitzgerald ruled it out of order. It was agreed this item should be referred to the Municipal Solicitor for a report to determine who, if anyone, has the authority to waive fees or if this issue should be dealt with by a grant.

Some Councillors expressed concern with the lack of policies for the Grants Committee. Councillor Hendsbee agreed they need policies put in place before next year.

MOVED by Councillors Hendsbee and Cooper that Halifax Regional Council approve the grant recommendation as found in Appendix 5, for a total value of \$145,300.00, less the \$10,000 grant for Nova Theatre, which will be withheld until the application can be reviewed further. MOTION PUT AND PASSED.

10.3 CHIEF ADMINISTRATIVE OFFICER

10.3.1 Merkel House - 2445 Brunswick Street (supplementary report)

- ! A report prepared by Dan English, Commissioner of Community Services, recommending deferral of consideration of this item until October 1, 1996, was before Council.

MOVED by Councillors Downey and Sarto that Council defer consideration of this item until October 1, 1996, at which time a staff report will be submitted. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Request to Purchase - 10 Eaton Avenue

- ! A report prepared by George McLellan, Commissioner of Regional Operations, regarding a request to purchase 10 Eaton Avenue, was before Council.

MOVED by Councillors Hetherington and Sarto that Council set 15 October 1996, as a date for a public hearing concerning HRM's intention to enter into a purchase and sale agreement with the Dartmouth Non-Profit Housing Society for the sale of 10 Eaton Avenue for \$25,000 plus GST and any additional taxes or adjustments that may be applicable in addition, to other terms and conditions as outlined in the staff report dated September 17, 1996.

In discussion of the Motion, Councillor Schofield suggested that this item be deferred until the pending report from Community Services regarding non-profit housing is received.

MOVED by Councillors Schofield and Uteck that this item be deferred until the pending report from Community Services regarding non-profit housing is received. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.3 Acquisition - Parcel H-238, 108 Herring Cove Road

- ! A report prepared by George McLellan, Commissioner of Regional Operations, regarding the acquisition of Parcel H-238, 108 Herring Cove Road, was before Council.

MOVED by Councillors Hanson and Adams that Parcel H-238, 108 Herring Cove Road comprising of 737.1 square feet, be acquired for street purposes from Brian and Mary Meagher for \$10,000 as settlement in full plus any additional taxes or closing adjustments that may be applicable.

Councillor Kelly questioned why the name on the cheque and the name on the lot diagram were different. Mr. Anstey replied the practice is to check with the Registry of Deeds before a cheque is issued and this will be done.

In response to a question from Councillor Hendsbee, Mr. French replied they are in the process of acquiring Parcels H-241, H-240 and H-239.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.4 Sale of Parcel Q-2 Waddell Avenue to Ad Outdoor Signs

! A supplementary report prepared by Tom Rath, General Manager, Business Parks Office, in response to questions raised at the August 20, 1996 Council session, regarding the sale of Parcel Q-2 Waddell Avenue to Ad Outdoor Signs, was before Council.

MOVED by Councillor Jack Mitchell and Deputy Mayor Greenough that Regional Council approve the sale of Parcel Q-2 to the rear of 4 Waddell Avenue to Ad Outdoor Signs Limited, subject to the following terms and conditions:

1. **Sale of property on an "as is" basis;**
2. **The purchase price of \$2.60 per square foot for a total area of 3,375 square feet which, subject to the preparation of a survey plan and legal description, results in a purchase price of \$8,775;**
3. **The survey plan and legal description would be prepared by the Municipality at its expense.**

In response to questions from Councillor Kelly, Mr. Rath replied that the Motion only approves the sale of land and not the use of the land.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.5 Sale of Lot 101A, Windmill Road, Burnside Business Park to Ford Motor Company of Canada Limited

! A report prepared by Tom Rath, General Manager, Business Parks Office, recommending the sale of Lot 101A, Windmill Road, Burnside Business Park to Ford Motor Company of Canada Limited, was before Council.

MOVED by Councillor Sarto and Deputy Mayor Greenough that Regional Council authorize the Mayor and the Municipal Clerk to execute an Agreement of Purchase and Sale for the sale of Lot 101A (the Property) on Windmill Road in the Burnside Business Park subject to the terms and conditions as stated in the staff report dated September 16, 1996, to Ford Motor Company of Canada Limited (Purchaser).

Councillor Schofield commended Mr. Rath on negotiating the sale of this piece of land. In response to a question from Councillor Kelly, Mr. Rath replied the appraised value of this

land is \$550,000.

Councillor Barnet expressed concern with clause (6) of the agreement, as he felt by allowing the purchaser's opinion to determine if the property is suitable would leave them in the position where they do not have to substantiate that opinion. He suggested a qualified consultant's opinion should be required as well.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

11.1 Councillor Kelly

MOVED by Councillors Kelly and Adams that First Reading be given to By-laws P-200 and P-201 respecting Pollution Control Charges.

Councillor Greenough gave notice that it will be his intention to move a motion to reduce the pollution control charge currently on the water bill, for the remainder of this year only, to offset, at least in part, the proposed increase in the wastewater charge.

Councillor Hetherington stated he would like to have copies of the By-Laws when they come back for Second Reading.

Councillor Sarto stated he would like to see the wastewater and pollution control charges separated on the water bills.

MOTION PUT AND PASSED.

11.2 Councillor Stone

MOVED by Councillors Stone and Walker that Council adopt an Administrative Order to form a Community Council to include District 15 - Councillor R. Walker, District 16 - Councillor B. Stone, District 17 - Councillor R. Hanson, and District 18 - Councillor S. Adams, to be called "Chebucto Community Council."

Councillor Uteck questioned if it was necessary for each Community Council to have its own PAC. Mr. Anstey replied there has to be a PAC, but it does not necessarily have to be a separate PAC from the Municipal PAC.

Councillor Uteck expressed concerns with being forced into a Community Council not knowing how they work or the costs. He noted there are still a number of issues to be worked out. Councillor Uteck requested a staff report on how Community Councils will function and what the costs will be.

Councillor Hetherington noted his opinion of Community Councils has changed since he

began participating on one. He expressed gratitude for the opportunity to have such community involvement and input. Councillor Adams noted Community Councils allow Regional Council to better utilize its time. Councillor Harvey noted Councillors and residents may be missing something if a District is not represented on a Community Council.

Councillor Hendsbee noted in the future there will be a report forwarded to Council from the Municipal PAC regarding the evaluation of PACs.

MOTION PUT AND PASSED.

11.3 Councillor Walker

MOVED by Councillors Walker and Hendsbee that Council consider an amendment to the Municipal Planning Strategy of the community of Halifax, to add policy which requires that the establishment of Day Care Centres within residential areas proceed only by Development Agreement; further, that this issue be sent to the Halifax Planning Advisory Committee for advice and public consultation and to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

11.4 Councillor Snow

MOVED by Councillors Snow and WHEREAS the Province of Nova Scotia, through the Department of the Environment, has sole responsibility and jurisdiction relating to the environment and health of its citizens; AND WHEREAS the residents of District 2 of the Halifax Regional Municipality do not appear to have the stringent regulations and ability to correct health problems, many of which are very serious, that seem to have surfaced since Municipal Health Boards have been abolished; AND WHEREAS prior to amalgamation each of the four municipal units, through local Boards of Health, was able to address and effectively correct the complaints of residents; THEREFORE BE IT RESOLVED that Council strongly urge the Province of Nova Scotia to immediately take whatever measures are deemed necessary to effect a timely response to the ongoing concerns and complaints received by Councillors of the Halifax Regional Municipality, from the residents they represent. Included in the complaints are the following:

- ! septic tanks overflowing**
- ! foul smelling barns**
- ! manure not being removed, resulting in flies, rats, etc.**
- ! car washing in local lakes**
- ! drowning of domestic animals in lakes**
- ! lake of store inspection**
- ! lack of restaurant and canteen inspections**

! bad water sources

BE IT FURTHER RESOLVED that the Halifax Regional Municipality study the feasibility of regaining some control over the health of our residents.

Councillor Snow stated that residents have been experiencing these problems for four months and they have not been resolved. He stated he would like to see staff work with the Hon. Wayne Adams to see if the residents' concerns can be addressed in an orderly and timely manner. Councillor Hetherington agreed with Councillor Snow and stated HRM should have more than a minimum standards by-law as it is not working. He suggested HRM should ask the Province to provide them with the legislation to have the same authority as was granted to the former Boards of Health. Mayor Fitzgerald replied a meeting will be arranged with the Minister of the Environment and a report will come back to Council as soon as possible.

12. ADDED ITEMS

12.1 Appointment - Transportation Association of Canada

! A memo from Mayor Fitzgerald recommending that Councillor Peter Kelly be appointed to the Transportation Association of Canada (TAC) sponsored Urban Transportation Council, was before Council.

MOVED by Councillor Hetherington and Deputy Mayor Greenough that Councillor Peter Kelly be appointed to the Transportation Association of Canada (TAC) sponsored Urban Transportation Council. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Cancellation of Council Meeting - October 8, 1996

! A memo from Vi Carmichael, Municipal Clerk, recommending that the Council Meeting scheduled for October 8, 1996 be cancelled in order for members to participate in the official opening of the annual conference of the Union of Nova Scotia Municipalities, was before Council.

MOVED by Councillors Blumenthal and Barnet that the Council Meeting scheduled for October 8, 1996 be cancelled in order for members to participate in the official opening of the annual conference of the Union of Nova Scotia Municipalities. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

13.1 Councillor Barnet

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held

on October 1, 1996, I intend to introduce a motion to strongly urge the Halifax Regional School Board to take all actions available to them to create a single tier education system within our region treating all students equally regardless of where they reside.

13.2 Councillor Epstein

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on October 1, 1996, I intend to introduce a motion to adopt an Administrative Order to form a Community Council to include District 11, (Councillor Blumenthal), District 12 (Councillor Downey), District 13 (Councillor Uteck), and District 14 (Councillor Epstein), to be called Halifax Peninsula Community Council.

14. ADJOURNMENT

MOVED by Councillors Hetherington and Snow that the meeting adjourn at 8:25 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk