

HALIFAX REGIONAL COUNCIL
MINUTES
JANUARY 21, 1997

PRESENT:

Mayor Walter Fitzgerald
Deputy Mayor Jack Greenough
Councillors Bill Dooks
Gordon R. Snow
David Hendsbee
Ron Cooper
Harry McInroy
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
Robert Harvey
Peter Kelly
Reg Rankin
Jack Mitchell

STAFF MEMBERS:

Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Jane Nauss, Assistant Municipal Clerk

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1. **INVOCATION**

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

At a later point in the meeting, Mayor Fitzgerald offered condolences to the family of Madame Justice Constance R. Glube on the death of her husband.

2. **PROCLAMATIONS**

2.1 **VON Week**

Mayor Fitzgerald proclaimed the week of January 19 - 25, 1997 as VON Week in Halifax Regional Municipality.

3. **APPROVAL OF MINUTES - December 17/96 and January 7/97**

Councillor Rankin requested that the December 17, 1996 minutes - page 15 under agenda item 11.7.1, be amended to reflect the following comments: *“Councillor Rankin enquired of Mr. Kulvinder Dhillon regarding those private roads in Lakeside and Eastern Passage that are currently under contract for snow removal and whether they could be considered for acceptance less than 50 ft. and in addition, be candidates for capital assistance. Mr. Dhillon responded that submissions could be made for consideration.”*

MOVED by Councillors Hanson and Hetherington to approve the minutes of December 17, 1996, as amended, and January 7, 1997. MOTION PUT AND PASSED UNANIMOUSLY.

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

ORDER OF BUSINESS

- Councillor Blumenthal requested that agenda item 10.1.1 be discussed with item 8.1
- Move item 11.8.8 to item 9.2 since the matter was advertised as a Public Hearing
- Councillor Stone requested that item 12.2 be discussed with item 11.8.4
- Councillor Cunningham requested that item 11.8.5 be discussed with item

10.1.2

ADDITIONS

- 10.1.3 Councillor Adams requested that one item be added - 70 - 72 Thornhill Drive - Mr. Joseph MacDonald and Mr. Rick McIntyre
- 13.1 Councillor Barnet - Request for Update and Information re: Enforcement of Wastewater Disposal By-Law
- 13.2 Councillor Snow - Request for Information re: Proposed Handling of Leachate waste from Cumberland Landfill to Lagoon Operation at AeroTech Park
- 13.3 Ratification - Sale of Hubbards Square (In Camera Item)
- 13.4 Councillor Cooper - Request to Release January 7, 1997 In Camera Minutes as public information.

MOVED by Councillors Hetherington and Sarto to approve the Order of Business, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

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

6. **MOTIONS OF RECONSIDERATION** - NONE

7. **MOTIONS OF RESCISSION** - NONE

8. **CONSIDERATION OF DEFERRED BUSINESS**

8.1 & 10.1 **Needham Centre Preschool Day Care Program**

- A Supplementary Report prepared for Mr. Dan English, Commissioner of Community Services, was before Council for discussion. This matter had been deferred until January 21, 1997 during the December 17, 1996 Regional Council Session.

Staff was recommending that effective April 1, 1997, the Needham Centre Preschool day care program be discontinued.

In response to an enquiry from Councillor Kelly, Ms. Geri Kaiser, Manager, Western Region, advised that the reason for contradictions between the staff and parents' report on available spaces was due to the manner in which questions were asked and specific needs of parents. With respect to registration, private day cares focus on advertising through the Yellow Pages and word of mouth. Needham Centre normally advertised through a Recreation Brochure which has a circulation of 30,000, however, this was not undertaken this winter, due to the uncertainty of the program.

In response to an enquiry from Councillor Mitchell, Ms. Kaiser stated the program could be profitable if full-time seats were sold, however, this makes the program non flexible for parents. Further, Council must decide if the municipality should be in the business of day care services as the Province currently carries this mandate. This particular operation is the only one where Recreation and Leisure is the direct service provider. Accordingly, Council direction was required to expand the mandate of the department to provide a day care service if Council so desired.

In response to an enquiry from Councillor Cooper, Ms. Kaiser advised there was dedicated space at the community centre for the day care as well as an arena and pool. Further, there was no surcharge for the enhanced services.

Ms. Kaiser also advised that the staff involved (two) are term employees.

Councillor Hetherington stated this operation has existed since 1983; further, he does not see a problem with continuing the program.

Ms. Kaiser stated there were three issues at hand that make the program valuable to parents; high quality of service; one of the few operations where parents can obtain leisure and day care needs; and, level of flexibility (hours and days of operation).

Councillor Walker suggested staff's recommendation proved bad timing. Registration numbers are obviously down as families will not register their children in a facility which could possibly close. Accordingly, he would like to see the program continue.

Ms. Kaiser advised that two private operators expressed concern in that the Needham Centre was competing with the private sector.

Should the operation continue, costs would escalate i.e. wages, benefits, groceries, travel, materials, etc.

Councillor Stone stated that although he does not support the municipality being in the day care business, he suggested the program continue for one more year, with parent

involvement, in an attempt to increase registration numbers.

Councillor Hetherington suggested that at least a two or three year cycle should be put in place and not a one year cycle.

Council agreed to hear presentations from Mr. Ian Scott and Ms. Sharon Beasley, parents (reference item 10.1.1 on Council Agenda).

Ms. Beasley - This is a unique program which builds children's self esteem.

Mr. Scott - Enrollment has fallen, however, this can easily be resolved, through word of mouth. He reiterated an earlier comment by a Member of Council that parents did not register their children due to the uncertainty of the program. This program can prove profitable with thirteen participants. Further, it can operate without a subsidy from HRM with some changes to the management structure. The parents are committed to making Needham a success by working with HRM staff. He requested Council support to keep the operation open.

Ms. Beasley advised the parents would agree to a board structure or an association comprised of parents, staff and members of the community. This is the first time that the Centre has lost money. Should a board be established, however, she stated the parents will not accept the responsibility of any financial deficit. She respectfully requested the opportunity to extend the service for a two year period. If after two years it is determined the program would not prove profitable, the parents are willing to have the operation close.

Councillor Blumenthal read from correspondence and referenced a petition, both supporting the program, which he passed to the Municipal Clerk.

MOVED by Councillors Blumenthal and Hetherington to recommend this program be kept for a two year commitment; that an association/board be established comprised of parents, Director, staff and Council representation; further, that two members of staff be reinstated for the two-year period that this program is committed to operate.

Councillor Cooper suggested the objectives of the association/board be clarified.

Councillor Hendsbee agreed and suggested a more formalized Agreement between HRM and the parents. Further, he suggested the program at the LeBrun Centre be reviewed. He felt that HRM should not be in the delivery of day care service and that this is a provincial jurisdiction.

Deputy Mayor Greenough stated this is a difficult situation as Council is dealing with children. Further, a deficit of \$23,000 for 7.5 fulltime seats is significant. He suggested an extension of the program be limited to six months during which time a private operator can take over or a board formed to operate the centre. He reiterated earlier comments this is direct competition with the private sector. Further, he could not support the Motion on the floor.

Another Motion was put on the floor.

MOVED by Deputy Mayor Greenough to grant a six month extension to Needham Centre Day Care Program.

As there was no seconder, the Motion was lost.

The following amendment to the main Motion was placed before Council.

MOVED by Councillors Cooper and Hendsbee to amend the Main Motion by including:

- 1. Any board/association be set up in such a way to take advantage of provincial subsidies;**
- 2. After two years, the board/association should be able to prove it has received 90% of actual costs.**

Councillor Hendsbee expressed an interest in sitting on the Board.

A vote on the amendment took place.

MOTION PUT AND PASSED UNANIMOUSLY.

A vote on the Motion, as amended, took place.

MOVED by Councillors Blumenthal and Hetherington to recommend this program be kept for a two year commitment; that an association/board be established comprised of parents, Director, staff and Council representation (2); the association/board to take advantage of provincial subsidies; after two years, the association/board should be able to prove it has received 90% of actual costs; further, that two members of staff be reinstated, with full benefits, for the two-year period that this program is committed to operate. MOTION PUT AND

PASSED.

The meeting recessed for approximately five minutes and reconvened at 7:30 p.m.

9. **PUBLIC HEARINGS**

9.1 **Request to Purchase 10 Eaton Avenue**

- A staff report prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

Mayor Fitzgerald called for speakers, either in favour of, or opposed to, the proposal. No one came forward.

MOVED by Councillors Hetherington and Schofield to close the public portion of the meeting. MOTION PUT AND PASSED UNANIMOUSLY.

The following Motion was put on the floor.

MOVED by Councillors Hetherington and Schofield that Council approve the sale of the municipally owned property, known as 10 Eaton Avenue, to Dartmouth Non-Profit Housing 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 date January 9, 1997 and appendices. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 **Windmill Road Street Closure - Old Bedford Right- of- Way: Administrative Order SC2** (reference 11.8.8)

- A staff report prepared for Mr. George McLellan, Commissioner of Regional Operations, on the above-noted, was before Council for discussion.

Council agreed to amend the Order of Business and moved this item (11.8.8) on the agenda to a Public Hearing, as advertised.

Through the use of overheads, Mr. Austin French, Manager, Real Estate, provided an overview of the property in question.

In response to an enquiry from Councillor Kelly, Mr. French advised that DND had no plans for the area.

Mayor Fitzgerald called for speakers, either in favour of, or opposed to, the proposal. No one came forward.

MOVED by Councillors Hetherington and Schofield to close the public portion of the meeting. MOTION PUT AND PASSED UNANIMOUSLY.

The following Motion was put on the floor.

MOVED by Councillors Hetherington and Schofield that Regional Council approve Administrative Order SC2, Street closure of “Old Bedford Road Right of Way”; further, that Council approve the sale of the vacant parcel of municipally owned land located on the westerly side of Windmill Road, to Newfoundland Capital Corporation Limited for the sum of \$24,000 plus GST and any additional taxes and adjustments and other terms and conditions as outlined in this staff report. MOTION PUT AND PASSED UNANIMOUSLY.

10. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

10.1 **Presentations**

10.1.1 **Needham Preschool - Ian Scott and Sharon Beasley** (reference 8.1)

This presentation took place under agenda item 8.1 in concert with the staff report presentation on this matter.

10.1.2 **Business Improvement Districts - Frank Schwartz, Chair, Downtown Halifax Business Commission** (reference 11.8.5)

- Correspondence from Kate Carmichael, Executive Director, dated January 9, 1997, and Frank Schwartz, Chair, Downtown Halifax Business Commission, dated January 17, 1996, was before Council.
- A staff report in connection with this item (reference 11.8.5) prepared for Ms. Val Spencer, Commissioner, Policy and Planning, was before Council for discussion.

Mr. Frank Swartz addressed Council providing background information on the identity, role and activities of the Downtown Halifax Business Commission.

MOVED by Councillors Cunningham and Downey that Council approve a three-year extension to the service agreements with the Downtown Dartmouth

Development Corporation, Downtown Halifax Business Commission, and the Spring Garden Area Business Association. Council will annually approve the budget and work plan for each BID. Further, Council agrees to continue to appoint a Councillor, and staff person (as ex-officio) to each Board. MOTION PUT AND PASSED UNANIMOUSLY.

Mayor Fitzgerald stated he was pleased to see all three Business Improvement Districts working with HRM.

10.1.3 **70 - 72 Thornhill Drive - Joseph MacDonald & Rick McIntyre**

Mr. MacDonald and Mr. McIntyre addressed Council reviewing flooding problems which are ongoing. Although they have attempted to correct the problem themselves, nothing has worked to date. The former City of Halifax reimbursed previous owners for various flooding problems. Reference was made to the high coliform count and the concern for potential health problems and moulds which may become airborne.

Councillor Adams provided background information on the matter at hand.

In response to an enquiry from Councillor Epstein, Mr. MacDonald advised he would consider the municipality purchasing his property for fair market value.

MOVED by Councillors Adams and Hetherington that Council consider one of the following options:

- 1. Purchase the homes at fair market value and either correct the problems and resell them or demolish them and sell the land;**
- 2. Pay to have the two properties raised and set on extended foundations above the water table with a full foundation drainage system as recommended by the consultant;**
- 3. Compensate the owners for the cost of installing the foundation drains plus the loss of improvements in the basement living areas of the two homes;**
- 4. Attempt to come to an amicable solution such that both parties agree that a solution has been met. MOTION PUT AND PASSED UNANIMOUSLY.**

Mayor Fitzgerald advised that a report will be provided within two weeks.

Councillor Cooper stated the primary objective is that Council end liability on the properties in question, i.e. tear them down.

11. **REPORTS**

11.1 **MAYOR**

11.1.1 **Halifax Millennium Committee**

- A memorandum from Mayor Fitzgerald pertaining to the above, was before Council.

MOVED by Councillors Hetherington and Cunningham that Council approve the instatement of a Halifax Millennium Committee, to plan, encourage and deliver a celebration of the millennium and HRM community founding birthdays for citizens and visitors to the Halifax Region. Further, that the following individuals be appointed:

Jack Keith, Chairperson; the Hon. Alan Abraham; Joe Gillivan; Captain Ian Mack; Stewart McInnes; Jim Conners; Robert Geraghty; Gloria McCluskey; Peter Delefes; Jane McLellan; Audrey Manzer; Neil Black; Susan Letson; Henry Bishop; Sara Filbee; Elayne Pink; David Dwyer; Rollie Jamieson; Louis R. Comeau; and Anna Nibby-Woods. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 **MEMBERS OF COUNCIL**

11.2.1 **Resolution - FCM 20% Club - Councillor Stone**

- A memorandum from Councillor Stone pertaining to the above, was before Council for discussion. The Club's objective is to encourage municipal governments to make an effort to reduce greenhouse gas emissions by 20% by the year 2005 or within 10 years of joining.

MOVED by Councillors Stone and Epstein to support the mandate of the FCM 20% Club in its attempt to reduce greenhouse gas emissions by 20% by the year 2005 or within 10 years of Halifax Regional Municipality joining.

At the suggestion of Mayor Fitzgerald, it was agreed to await a staff report.

No vote was taken on this Motion.

Another Motion was put on the floor.

MOVED by Councillors Stone and Epstein to refer this matter to staff. MOTION PUT AND PASSED UNANIMOUSLY.

11.3 **COMMITTEE OF THE WHOLE**

11.3.1 **Natal Day Ad Hoc Committee**

- A recommendation on the above-noted, from the January 14, 1997 Committee of the Whole, was before Council for ratification.

MOVED by Deputy Mayor Greenough and Councillor Schofield to ratify a recommendation made in Committee of the Whole, to adopt the Natal Day Ad Hoc Committee Report. MOTION PUT AND PASSED UNANIMOUSLY.

11.4 **CHEBUCTO COMMUNITY COUNCIL**

11.4.1 **Case 7366 - Stage II Schedule "K" Development Agreement, Clayton Park West, Phase 3B**

- A memorandum from Councillor Stone, Chairman, Chebucto Community Council, pertaining to the above, was before Regional Council for discussion.

MOVED by Councillors Stone and Walker that Regional Council cost share in the amount of \$145,000 for oversized sewers (Account 80024-6000) and \$220,000 for oversized streets (Account 80025-6000). MOTION PUT AND PASSED UNANIMOUSLY.

A report on HRM Infrastructure Cost Sharing on Development Projects will be brought before Council in the near future.

11.5 **MARINE DRIVE, VALLEY AND CANAL COMMUNITY COUNCIL**

11.5.1 **North Preston Recreation Centre**

- A memorandum from Councillor Hendsbee, Chair, Marine Drive, Valley and Canal Community Council, was before Regional Council for discussion.

The Community Council was recommending the following:

WHEREAS the recreation facility in the community of North Preston is grossly inadequate, and the community has been suffering trying to maintain their community centre on a volunteer basis;

AND WHEREAS time and time again various levels of government have been providing short term emergency assistance in trying to maintain the operational upkeep costs and capital structure of the facility;

AND WHEREAS there has been a recent community meeting held Thursday, November 21, 1996 at which time there was unanimous support that the community assign its ownership and land title of property and building of the North Preston Community Centre to the municipality;

BE IT THEREFORE RESOLVED that Marine Drive Valley and Canal Community Council recommend to Regional Council that Halifax Regional Municipality assume ownership and assist the community in devising a recreational plan for a new facility and services in the community.

Councillor Hendsbee introduced two constituents who were involved with the North Preston Recreation Centre. Further, he suggested this matter be referred to staff for a staff report.

MOVED by Councillors Hendsbee and Epstein to refer the matter of the North Preston Recreation Centre to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

11.6 **REGIONAL HERITAGE COMMITTEE**

11.6.1 **Substantial Alteration - Horticultural Hall**

- A memorandum from Turney Manzer, Chair, Regional Heritage Committee, pertaining to the above, was before Council.

The Committee was recommending that Regional Council approve the substantial alteration to the foundation of Horticultural Hall as proposed.

Councillor Rankin suggested as there was a financial commitment involved, perhaps Council should await the budget process prior to approving this Motion.

MOVED by Councillors Uteck and Downey to refer this matter to staff for a report on the financial commitment required. MOTION PUT AND PASSED UNANIMOUSLY.

11.6.2 **Heritage Incentive Grants**

- A memorandum from Turney Manzer, Chair, Regional Heritage Committee, pertaining to the above, was before Council.

The Committee was recommending that Regional Council approve the Heritage Advisory Committee Recommendations for Heritage Grants as included in the January 15, 1997 Committee Report.

During a brief discussion, it was noted these figures had been approved in last year's budget.

Mr. Turney Manzer, Chair, noted not all applications were approved but that the amount involved to be approved by Council this evening, totalled \$80,562.

MOVED by Councillors Hetherington and Kelly to defer further consideration of this matter for one week pending a legal opinion. MOTION PUT AND PASSED.

11.6.3 **Heritage Excavation - Proposed Central Business District Parking Area**

- A memorandum from Turney Manzer, Chair, Regional Heritage Committee, pertaining to the above, was before Council.

The Committee was recommending that Regional Council approve the exploration of the possibility to perform archaeological excavation on the Proposed Central Business District Parking Area as noted in the January 15, 1997 Committee Report.

MOVED by Councillors Epstein and Uteck to refer this matter to staff.

Councillor Hendsbee suggested the following information be included in the report: depth of excavation; what machinery will be utilized; and, time frame involved.

MOTION PUT AND PASSED UNANIMOUSLY.

11.7 **SOLID WASTE / RESOURCE ADVISORY COMMITTEE (SWRAC)**

11.7.1 **Residual Disposal Facility (RDF) - Permit Application**

- A memorandum from Councillor Rankin, Chair, SWRAC, pertaining to the above, was before Council for discussion.

Circulated with this item was correspondence from PROBE dated January 20, 1997.

The Committee (SWRAC) was recommending that Council:

1. Receive the design documents and drawings together with the site investigation report for Site 'A' that has been submitted by MIRROR Nova Scotia Ltd.;
2. Receive the Peer Review Report of the MIRROR design documents and drawings conducted by HCI Waste Plan;
3. Authorize staff to submit an 'Approval to Construct' permit application to the Nova Scotia Department of the Environment for a Residuals Disposal Facility at Site 'A';
4. That NSDOE must receive the signed contracts with both MIRROR and the Citizens Monitoring Committee before the 'Approval to Construct' will be issued by them.

Councillor Rankin reviewed the matter briefly for Council noting that SWRAC endorses the above recommendation.

Councillor Epstein expressed concern noting this recommendation did not receive unanimous approval at the SWRAC meeting. Further, he suggested Council would be mistaken to adopt this Motion. This should be rejected due to the unnecessary costs involved. Site 'A' is expensive as HRM does not own the land. Councillor Epstein reminded Council that the Community Monitoring Committee has requested \$4 million to construct a recreational facility in the area; further, there is a peculiar gradient to the site which will cost extra. He recommended Ragged Lake would prove a better site and that the Halifax Partnership endorses this suggestion. It is not too late to investigate the potential of Ragged Lake and other available sites. Although it would cost approximately \$750,000 for this investigation, it would be well worth it.

With respect to the draft letter to the Department of the Environment dated January 16, 1997, Councillor Epstein stated that should Council endorse this letter, it is in essence,

endorsing an FEP which may not be required.

MOVED by Councillor Epstein to investigate other sites, including Ragged Lake, for the next two and one half years and to consider reduced waste reduction.

As there was no seconder for the Motion, the Motion was lost.

Councillor Barnet provided background information on the selection of the Sackville landfill site and noted for the record the initial landfill site was to be located in Windsor Junction, between Beaver Bank and Sackville. Further, costs involved for Site 'A' will be spent wisely and that past history does not need to be repeated. He advised he would be supporting Councillor Rankin's Motion.

Councillor Rankin stated that Council cannot start the site selection all over again.

Councillor Mitchell felt that everyone has put a lot of effort into this matter and that the people will get the best system possible. The costs involved will be worthwhile.

Councillor Hanson expressed concern with an earlier comment of Councillor Epstein's in that going to Ragged Lake has the endorsement of Dr. Michael MacDonald, Greater Halifax Partnership. He felt the comment was unprofessional and suggested same be struck from the record.

Mayor Fitzgerald advised that the comment will not be struck from the record due to freedom of speech.

In response to a request from Councillor Epstein if further comment on this matter could be deferred pending comments from the Halifax Partnership, Mayor Fitzgerald advised in the negative.

Councillor Hendsbee suggested this Council needs to move forward.

Councillor Epstein reiterated earlier comments to seek an alternative location as time was not a concern; further, there was support from the Halifax Partnership.

MOVED by Councillors Uteck and Epstein to split the Motion so as to deal with site selection separately and a separate Motion on not dealing with an FEP at this point in time.

Councillor Rankin suggested this was an "unfriendly" amendment to the main Motion.

No vote was taken on the Motion.

To clarify, Deputy Mayor Greenough stated the Application to the Department of the Environment was contingent upon the construction of an FEP.

Councillor Rankin stated that Council has endorsed the establishment of a Community Monitoring Committee and requested that the Chairman, Mr. McAusland, be permitted to address Council to which Mayor Fitzgerald advised in the negative.

Councillor Rankin stated that without an FEP, there can be no landfill.

Councillor Walker advised he would not be supporting a change in site. Further, it has not been proven that an FEP is 'not' required. Without an FEP, there would be no way to separate the waste before it goes to the landfill.

Councillor Cooper referenced correspondence from the Community Monitoring Committee attached to the staff report noting it expands on the concerns of SWRAC. Further, the recommendation of SWRAC is an accurate reflection of discussions at the Committee level.

In response to a concern expressed by Mayor Fitzgerald, Councillor Rankin stated a compromise could be reached by amending the fourth portion of the Motion to read: "Refer to the draft letter dated January 16, 1997, from the Commissioner of Regional Operations, addressed to the Nova Scotia Department of the Environment."

Councillor Uteck expressed concern as to why Council should commit itself to a huge facility (FEP) when only a small one may be needed, or none at all.

Mr. Jim Bauld, Manager, Solid Waste, addressed Council stating that staff will be requesting the Department of the Environment to have the site registered as a landfill. To obtain this, however, an FEP is required. This follow the principles of the Strategy. When a landfill is built, an FEP must be constructed.

In response to an enquiry from Mayor Fitzgerald on costs involved, Mr. Bauld advised that capital costs would approximate \$50 million with operational costs approximating \$29 - \$32 million. Mr. Ken Meech, Chief Administrative Officer, advised that \$15 million amortization has already been built into the \$50 million.

Councillor Stone stated he would like to ensure that Council explores a potential infrastructure program at the appropriate time.

Another Motion was put on the floor.

MOVED by Councillors Rankin and Cooper to:

1. **Receive the design documents and drawings together with the site investigation report for Site "A" that has been submitted by Mirror Nova Scotia Ltd.;**
2. **Receive the Peer Review Report of the Mirror design documents and drawings conducted by HCI Waste Plan;**
3. **Authorize staff to submit an "Approval to Construct" permit application to the Nova Scotia Department of the Environment for a Residuals Disposal Facility at Site "A" ;**
4. **Refer to the draft letter* attached, dated Jan. 16/97, from the Commissioner of Regional Operations, addressed to the Nova Scotia Department of the Environment.**

*** (Letter attached as Appendix "A" to the minutes.)**

MOTION PUT AND PASSED.

Another Motion was put on the floor.

MOVED by Councillors Epstein and Rankin to request the Department of the Environment to conduct a full public hearing and environmental assessment of Site 'A.'

Following a brief discussion, it was decided this should be a decision of the Minister.

No vote was taken on the Motion.

Another Motion was placed on the floor.

MOVED by Councillors Stone and Hendsbee to table a request to the Department of the Environment to conduct a full public hearing and environmental assessment of Site 'A.' MOTION PUT AND PASSED.

11.8.1 **Farrell Hall (request for deferral to Feb. 4/97)**

- A memorandum prepared for Mr. Larry Corrigan, Commissioner, Corporate Services, pertaining to the above, was before Council. Circulated to Council was correspondence from the Honourable Sandy Jolly, MLA and an outline of the mandate of the Farrell Benevolent Society.

Staff was recommending that the matter of installing air exchange equipment in Farrell Hall at a cost of approximately \$20,000, be deferred to the February 4, 1997 meeting of Halifax Regional Council pending receipt of a staff report.

Councillor Schofield addressed Council requesting that funds from "Land Acquisition - Robert Burns Drive" Account be transferred to deal with this issue.

Councillor Hendsbee suggested this request be forwarded to the Grants Committee for consideration as the building is not owned by the municipality.

MOVED by Councillor Hetherington and Deputy Mayor Greenough to defer this matter for one week pending a staff report on the possibility of transferring funds from "Land Acquisition - Robert Burns Drive" Account; further, to also forward this to the Grants Committee for consideration as Farrell Hall is not owned by the municipality. MOTION PUT AND PASSED UNANIMOUSLY.

11.8.2 **Request for Funding - White's Transit**

- A supplementary report prepared for Mr. George McLellan, Commissioner of Regional Operations, pertaining to the above, was once again before Council for discussion. Circulated to Council were copies of correspondence from residents supporting the service and correspondence from the Amalgamated Transit Union. Correspondence from Mr. Robert Chisholm, MLA was also before Council.

Staff was recommending that the proposal to extend a commuter bus service to Sambro Head and Ketch Harbour be referred to the 1997-98 budget process for consideration if an area rate is possible; that the operating budget not encompass an operating subsidy; and that Metro Transit negotiate with Mr. White for the lease of one or two surplus busette units to White's Transit to March 31, 1997.

MOVED by Councillors Snow and Kelly to accept the proposal in principle, and direct staff to provide the necessary interim funding (\$6300) until April 1, 1997, and a vehicle, pending budget deliberations.

Councillor Adams referenced correspondence received from residents, supporting Mr. White's service. Further, he referenced correspondence received from Mr. Robert Chisholm, NDP, stating that Metro Transit has not expressed an interest in taking over the service. Should no decision be made, the service will discontinue effective February 1, 1997.

Councillor Blumenthal stated he would like Metro Transit to take over the service.

Councillor Barnet cautioned Council in expending public funds for private companies to provide public transit. Further, the residents concerned do not want to pay for this service through an area rate.

To clarify, Mr. Ken Meech, Chief Administrative Officer, stated that staff was not recommending this service unless it is carried out through an area rate.

Councillor Hendsbee suggested this is an opportunity to determine a resolution through the following: availability of resources; what opportunities are there for a private transit service; Metro Transit could explore this as a demonstration run; Mr. White could contract out the service; and, track the ridership.

Councillor Walker stated he had no trouble supporting the Motion until budget time, particularly if the required funds required are available.

Councillor Mitchell suggested each Councillor contribute \$260 from each of their districts.

Councillor McInroy stated he could not justify taking taxpayers' funds to provide a private service.

Councillor Adams suggested public money is provided to private businesses all the time (recyclables, snow removal). Further, with the use of a busette, an area rate would be approximately \$10 on \$100,000 of assessment.

Councillor Hendsbee suggested a time frame for a demonstration run be determined.

As an interim measure, Councillor Stone suggested Council wait until April 1, 1997 to see if area rates are a possibility. The Motion on the floor is beyond what the Community Council is recommending.

MOTION PUT AND PASSED.

EXTENSION OF MEETING

MOVED by Councillors Walker and Hendsbee to extend the meeting 30 minutes to 11:30 p.m. MOTION PUT AND PASSED.

11.8.3 **Case 7424:2614/16 and 2618/20 Windsor Street, Halifax - Request for Plan Amendment and Rezoning**

- A memorandum prepared for Mr. Dan English, Commissioner, Community Services, pertaining to the above, was before Council for discussion.

MOVED by Councillors Uteck and Walker that properties on the west side of Windsor Street between North and Seaforth Streets be redesignated from High Density Residential to Minor Commercial;

2614/16, 2618/20 and 2636 Windsor Street be rezoned from R-3 (Multiple Dwelling) to C-2A (Minor Commercial);

Policy 1.4.5. of the Peninsula North Plan (Section X1 of the Municipal Planning Strategy) be deleted; and

Halifax Regional Council authorize proceeding with this request for a plan amendment and rezoning and adopt the public participation resolution attached to the staff report as Appendix 4.

MOTION PUT AND PASSED UNANIMOUSLY.

11.8.4 **Soccer By-Law** (reference 12.2)

- A memorandum prepared for Ms. Val Spencer, Commissioner, Policy and Planning, pertaining to the above, was before Council.

Staff was recommending that Council defer completion of the public hearing process and Second Reading of the draft by-law providing property tax exemption for Soccer Nova Scotia, as indicated on Attachment 1 of the staff report dated January 15, 1997, until after the Grant Committee tables its report on Tax Concessions and Residential Tax Deferral Policy to the Committee of the Whole on February 11, 1997.

MOVED by Councillors Stone and Hendsbee to give First Reading to the Soccer By-law; set February 18, 1997 for Second Reading; request a staff report for

**February 18, 1997 and a Grants Committee Report for February 18, 1997.
MOTION PUT AND PASSED.**

11.8.5 **Business Improvement Districts**

This item was discussed under agenda item #10.1.2.

11.8.6 **Acquisition - 3090 Windsor St.**

- A memorandum prepared for Mr. George McLellan, Commissioner, Regional Operations, pertaining to the above, was before Council for discussion.

MOVED by Councillors Walker and Stone to authorize the purchase of civic number 3090 Windsor Street for the price of \$222,500 plus GST if applicable, for the purpose of realigning the Bayers Road / Young Street intersection at Windsor Street, with funds for the purchase to be drawn from the Sale of Land, Capital Reserve Account.

Another Motion was put on the floor.

MOVED by Councillors Mitchell and Kelly to defer the matter of Acquisition - 3090 Windsor St. for two weeks to obtain estimated costs. MOTION DEFEATED.

Following a brief discussion, Mr. Kulvinder Dhillon, Director of Engineering Services, advised a detailed report will be brought before Council in the near future.

A vote on the Main Motion took place.

MOTION PUT AND PASSED.

NOTICE OF MOTION OF RECONSIDERATION

Notice of Motion of Reconsideration was given by Councillors Epstein and Adams on the following Motion:

“MOVED by Councillors Walker and Stone to authorize the purchase of civic number 3090 Windsor Street for the price of \$222,500 plus GST if applicable, for the purpose of realigning the Bayers Road / Young Street intersection at Windsor Street, with funds for the purchase to be drawn from the Sale of Land, Capital Reserve Account. MOTION PUT AND PASSED.”

11.8.7 **Acquisition - Parcel H-259, Civic No. 158 Herring Cove Road**

- A memorandum prepared for Mr. George McLellan, Commissioner, Regional Operations, pertaining to the above, was before Council.

MOVED by Councillors Hanson and Walker that Parcel H-259, 158 Herring Cove Road shown on the sketch attached to the January 7, 1997 staff report, and comprising of 682.5 square feet, be acquired for street purposes from Ian Purdy for \$4,503.75 as settlement in full plus any additional taxes or closing adjustments that may be applicable. MOTION PUT AND PASSED UNANIMOUSLY.

11.8.8 **Windmill Road Street Closure**

This item was addressed under item 9.2 - Public Hearing.

11.8.9 **Kearney Lake Patrol (Supplementary Report)**

- A memorandum prepared for Chief Vincent MacDonald, Police Services, pertaining to the above, was before Council for discussion.

This matter had been before Council on August 23 and December 17, 1996.

MOVED by Deputy Mayor Greenough and Councillor Walker to support staff's recommendation to not support the need for a Special Constable for lake patrol on Kearney Lake. MOTION PUT AND PASSED UNANIMOUSLY.

11.8.10 **Acceptance of Ramsgate Lane as a City Street**

- A memorandum prepared for Mr. George McLellan, Commissioner, Regional Operations, was before Council for discussion.

MOVED by Councillors Hanson and Stone that Council accept Ramsgate Lane between Purcell's Cove Road and the cul-de-sac as a public street, including the walkway between Ramsgate Lane and Melville Avenue; all subject to receipt of deeds, descriptions, plans and certificates of title. MOTION PUT AND PASSED.

11.8.11 **Macdonald Bridge Reconstruction - Noise By-Law Provisions**

(reference 12.1)

- A memorandum prepared for Ms. Val Spencer, Commissioner, Policy and Planning, pertaining to the above, was before Council for discussion.

MOVED by Councillors Schofield and Blumenthal that First Reading be given to amendments to the former City of Halifax and City of Dartmouth Noise By-Laws, as outlined in the Appendices attached to the staff report dated January 15,1997. MOTION PUT AND PASSED.

11.8.12 **Purchase of Software Upgrade - Police Computer Aided Dispatch System (CAD)**

- A memorandum prepared for Chief Vincent MacDonald, Police Services, pertaining to the above, was before Council for discussion.

MOVED by Deputy Mayor Greenough and Councillor Stone to approve the acquisition of a software upgrade for the Computer Aided Dispatch System (CAD) used by the Halifax Regional Police Service and further, that Council approve the awarding of the contract for this acquisition in the amount of \$499,443 Canadian plus taxes to Planning Research Corporation / Public Sector Inc. (PRC/PSI) as a directed contract and sole source supplier. MOTION PUT AND PASSED UNANIMOUSLY.

12. **MOTIONS**

12.1 **Councillor Schofield - First Reading of Former City of Dartmouth By-Law N-200 and City of Halifax Ordinance 113**

This item was addressed under agenda item #11.8.11.

12.2 **Councillor Stone - First Reading of By-Law T-200**

This item was addressed under agenda item #11.8.4.

12.3 **Councillor Epstein**

- Circulated with this item was a Petition from residents of District 12.

Councillor Epstein served Notice of Motion on an amendment to Administrative Order

No. 9, during the January 7, 1997 Regional Council Session.

MOVED by Councillors Epstein and Blumenthal to amend Administrative Order No. 9 to add District 12 as a member of the Halifax Peninsula Community Council.

Councillor Epstein referenced a petition which he had initiated and distributed to Council.

Councillor Downey expressed concern that another Member of Council took a petition around in his area and stated he represented District 12 and not Councillor Epstein. He felt he had the right to opt out of joining the Peninsula Community Council. Further, he felt it was not appropriate for Councillor Epstein to initiate the petition.

Councillor Harvey stated that although he agrees with community councils, he expressed concern in that this particular petition was not generated within Councillor Downey's district. Accordingly, he would not be able to support the Motion at this point in time.

Councillor Cooper suggested the petition simply indicates there is interest and he recommended there be a public meeting to deal with this matter.

MOTION DEFEATED.

13. **ADDED ITEMS**

13.1 **Request for Update and Information - Enforcement of Wastewater Disposal By-Law**

MOVED by Councillors Barnet and Walker to request a staff report on an update and information on the enforcement of the Wastewater Disposal By-Law.

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 **Request for Information - Proposed Handling of Leachate Waste from Cumberland Landfill to Lagoon Operation - AeroTech Park**

MOVED by Councillors Snow and Kelly for a staff report on the proposed handling of leachate waste from the Cumberland Landfill to the Lagoon Operation at AeroTech Park. Further, that there be no further dumping in the Lagoon until it is considered safe. MOTION PUT AND PASSED.

13.3 **Sale of Hubbards Square**

MOVED by Councillors Mitchell and Schofield that the recommendation adopted In Camera, be ratified by Council. MOTION PUT AND PASSED.

13.4 **Release - January 7, 1997 In Camera Minutes**

MOVED by Councillor Cooper and Deputy Mayor Greenough to release the January 7, 1997 In Camera minutes as public information. MOTION PUT AND PASSED UNANIMOUSLY.

14. **NOTICES OF MOTION**

14.1 **Councillor Hendsbee**

TAKE NOTICE that at the meeting of Halifax Regional Council to be held on January 28, 1997, I intend to introduce a Motion to review the Halifax Regional Municipality collection process for dog licensing as it presently exists and review the proposed process as outlined in the Information Report on the January 21, 1997 Agenda (item #6);

AND BE IT RESOLVED that Halifax Regional Municipality consider the possibility of licensing 'pet owners' instead of 'pets' (which could include dogs, cats, and exotic animals but exclude 'farm animals and livestock');

BE IT FURTHER RESOLVED that the fees charged for 'owner registration' could be for a period of either three years, five years, ten years, or a life time registration with the proviso that additional fees could be charged for change of registration information as to owners' residential status, or other relevant data as Halifax Regional Municipality deems as necessary.

14.2 **Councillor Harvey**

WHEREAS tobacco smoke produces a hazardous type of air pollution referred to as environmental tobacco smoke (ETS) commonly known as second hand smoke;

AND WHEREAS fifty of the four thousand chemicals in tobacco smoke are known carcinogens to which there is no known level of safe exposure;

AND WHEREAS the World Health Organization, Health and Welfare Canada and the US Surgeon General's Office have all confirmed that ETS causes illnesses including heart disease and lung cancer;

AND WHEREAS Labour Canada has estimated that at least 330 non smoking Canadians die each year of lung cancer from having been exposed to ETS;

AND WHEREAS an average cigarette produces twelve minutes of ETS compared to thirty seconds of inhaled smoke by the smoker;

AND WHEREAS a majority of respondents to a recent local survey in November, 1997 indicated that they would be more likely to visit public places and businesses if they were 100% smoke free;

AND WHEREAS a smoke free environment should be a basic human health right;

THEREFORE BE IT RESOLVED that staff be requested to prepare a report for the consideration of this Council which will lead to legislating a Clean Air By-Law to eliminate tobacco smoke from public places.

Prior to adjournment, Councillors Epstein and Adams served a Notice of Reconsideration on agenda item 11.8.6 (see page 24).

15. **ADJOURNMENT**

The meeting adjourned at 11:50 p.m.

Vi Carmichael
MUNICIPAL CLERK