

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES February 22, 2000

PRESENT:

Mayor Walter Fitzgerald  
Deputy Mayor John Cunningham  
Councillors: Stephen Streach  
Gordon R. Snow  
Keith Colwell  
Ron Cooper  
Harry McInroy  
Jack Greenough  
Condo Sarto  
Bruce Hetherington  
Clint Schofield  
Jerry Blumenthal  
Graham L. Downey  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Bill Stone  
Graham Read  
Stephen D. Adams  
David Merrigan  
Bob 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. Patti Halliday, Assistant Municipal Clerk

**Table of Contents**

1.	INVOCATION .....	4
2.	PROCLAMATIONS .....	4
	2.1 Epilepsy Month - March 2000 .....	4
	2.2 Red Cross Month - March 2000 .....	4
3.	APPROVAL OF MINUTES - February 8 & 15, 2000 .....	4
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	4
5.	BUSINESS ARISING OUT OF THE MINUTES - None .....	5
6.	MOTIONS OF RECONSIDERATION - None .....	5
7.	MOTIONS OF RESCISSION - None .....	5
8.	CONSIDERATION OF DEFERRED BUSINESS - None .....	5
9.	PUBLIC HEARINGS .....	5
	9.1 Case 00137 Loon Lake Developments Limited - Golf Course (Joint Public Hearing with Regional Council and Harbour East Community Council) .	5
	9.2 Second Reading By-Law S-403 Respecting Local Improvement Charges, Les Collins Avenue Road Upgrade .....	7
	9.3 Second Reading By-Law S-404 Respecting Local Improvement Charges, New Paving Projects Outside the Core Area - 1998 .....	8
10.	CORRESPONDENCE, PETITIONS .....	8
	10.1 Petitions .....	8
	10.1.1 Councillor Read - Use of Landscape Pesticides .....	8
	10.1.2 Councillor Kelly - Drainage Ditch, Acadia Mill Drive to Salmon River Terrace .....	9
	10.2 Presentations .....	9
	10.2.1 Proposed Ship Harbour Long Lake Wilderness Area .....	9
	10.2.2 Regional Trails Project .....	10
11.	REPORTS .....	10

11.1	MEMBERS OF COUNCIL	10
11.1.1	Councillor Blumenthal - Christmas Tree Pick-up	10
11.1.2	Councillor Adams - Volunteer Fire Department - Mr. Paul Dober's Presentation	11
11.1.3	Councillor Streach - Volunteer Fire Department - Retirement Draft Proposal	11
11.1.4	Councillor Read - Urban Transportation Council	13
11.1.5	Councillor Kelly	13
11.2	CHIEF ADMINISTRATIVE OFFICER	15
11.2.1	Taxi Appeals Sub-Committee Composition	15
11.2.2	Use of Provincial Election List - October 21, 2000, Municipal Election	15
11.2.3	Case 00213 Request to Amend the Halifax MPS for the Petro-Canada Limited Property on Barrington Street	16
11.2.4	Case 00069 Application for a Development Agreement for a Mobile Home Park, Lucasville Road, Polling District 22	16
11.2.5	By-Law L-102 Respecting Local Improvement Charges - Beaver Bank Servicing, Phase III	17
12.	ADDED ITEMS	17
12.1	Councillor Schofield - Salting	17
12.2	Councillor Uteck - Status of Dogs Off Leash in HRM Parks	18
12.3	Councillor Fougere - Raves	18
12.4	Councillor Colwell - Subdivision Roads in Parts of District 3	18
12.5	Legal Matter - Claim Settlement	19
13.	NOTICES OF MOTION	19
13.1	Councillor Kelly - Licensing of Automatic Machines	19
13.2	Councillor Adams - First Reading of By-Law A-100	20
13.3	Councillor Merrigan - First Reading of By-Law L-102	20
14.	ADJOURNMENT	20

**1. INVOCATION**

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

**ACKNOWLEDGEMENT**

At a later point in the meeting, Mayor Fitzgerald acknowledged and welcomed four residents from Lake Echo who were attending their first Regional Council meeting.

At a later point in the meeting, Deputy Mayor Cunningham acknowledged the presence in the gallery of Councillor Atwood, from the Annapolis Valley.

**2. PROCLAMATIONS**

**2.1 Epilepsy Month - March 2000**

Mayor Fitzgerald proclaimed March 2000 as Epilepsy Month in the Halifax Regional Municipality.

**2.2 Red Cross Month - March 2000**

Mayor Fitzgerald proclaimed March 2000 as Red Cross Month in the Halifax Regional Municipality.

**3. APPROVAL OF MINUTES - February 8 & 15, 2000**

With regards to Item 10.2.1 Planning and Traffic Studies, MicMac Mall Area, Dartmouth, in the February 15, 2000 minutes, Councillor Schofield noted that he voted against the motion; and, therefore, it was not passed unanimously.

**MOVED by Councillors Blumenthal and Greenough that the minutes of February 8, 2000 be approved, as circulated, and the minutes of February 15, 2000 be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

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

The following items were added to the agenda:

- 13.1 Councillor Schofield - Salting
- 13.2 Councillor Uteck - Status of Dogs Off Leash in HRM Parks
- 13.3 Councillor Fougere - Raves

- 13.4 Councillor Colwell - Subdivision Roads in Parts of District 3
- 13.5 Legal Matter - Claim Settlement (this was added at the end of the meeting)

It was agreed that Harbour Solutions would be discussed at a Committee of the Whole meeting on March 7, 2000, and discussion regarding Supplementary Education funding, which took place at a Committee of the Whole meeting held earlier in the day, would continue at a Committee of the Whole meeting at 2:00 p.m. on February 29, 2000.

Item 11.1.1 Councillor Blumenthal - Christmas Tree Pickup was deleted from the agenda, at the request of the Councillor.

Item 11.2.4 Case 00069 Application for a Development Agreement for a Mobile Home Park, Lucasville Road, Polling District 22 was deferred to allow the developer the opportunity to provide supplementary information.

**MOVED by Councillors Downey and Mitchell that the Order of Business, be approved, 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 - None**

**9. PUBLIC HEARINGS**

**9.1 Case 00137 Loon Lake Developments Limited - Golf Course (Joint Public Hearing with Regional Council and Harbour East Community Council)**

- A report from the Harbour East Community Council dated January 28, 2000, regarding the above, was previously circulated to Council.
- Correspondence from Theresa Cole dated February 21, 2000, and Peter & Jeanette Flett, dated February 22, 2000, regarding the above, was circulated to Council.

Ms. Donna Davis-Lohnes, Planning Services, advised Council that there are two steps involved in the decision associated with this proposal. Following the Joint Public Hearing, Regional Council will deliberate on the plan amendment request and, potentially, make a decision. Depending on the outcome of Council's decision, the development agreement

application will be forwarded to the Harbour East Community Council for its deliberation and ultimate decision. Ms. Davis-Lohnes stated this could occur as early as March 2, 2000.

With the use of overheads, Ms. Davis-Lohnes presented the staff report, noting that the Dartmouth Lakes Advisory Board is, in general, supportive of this project. The Committee had expressed concerns about the details of the water sampling program and the length of the monitoring program, which has now been extended from one year to five years. In closing, Ms. Davis-Lohnes stated staff is recommending that Council approve the plan amendment request, as presented.

In response to a question of Councillor Cooper regarding the Planning Advisory Committees, Ms. Davis-Lohnes stated three public information meetings were held regarding this proposal, and both the Harbour East Planning Advisory Committee and the Marine Drive Valley and Canal Planning Advisory Committee have reviewed the proposal with positive recommendations.

Responding to a question of Councillor Uteck, Ms. Davis-Lohnes stated the Municipality will ultimately be responsible for enforcing the developing agreement, but the developer is also going to utilize the services of Dalhousie Centre for Water Resource Studies to actually conduct the sampling. Reports will be filed with staff and would be available to the Harbour East Community Council and the Dartmouth Lakes Advisory Committee, if requested.

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

**Mr. Graham Cooke, Architect**

Mr. Graham Cooke, the architect for the golf course, addressed Council making the following points:

- Short golf courses are becoming very popular across North America, as they are a good entry level for beginners.
- The proposed location for the golf course allows the opportunity for the land to be worked without over-development. Therefore, the golf course will be very naturalized.
- With respect to safety concerns, there are good setbacks from the residential area, and a good buffer along the entire property.
- The developer is seeking a high quality development and has been involved in similar projects in the past.

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

**MOVED by Councillor Hetherington and Deputy Mayor Cunningham that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

### **COUNCIL DECISION**

Councillor Cooper spoke in support of the proposal and the amount of public participation involving residents surrounding the golf course and those from the neighbouring areas. The Councillor stated he believes all concerns raised have been sufficiently addressed.

**MOVED by Councillors Cooper and McInroy that Council approve the amendments to the Generalized Future Land Use Maps contained in the Municipal Planning Strategies for North Preston, Lake Major, Lake Loon/Cherry Brook and East Preston, and Cole Harbour/Westphal, as shown on Map 2 of the staff report dated November 30/00; and, that the Development Agreement be forwarded to the Harbour East Community Council for its consideration. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **9.2 Second Reading By-Law S-403 Respecting Local Improvement Charges, Les Collins Avenue Road Upgrade**

- By-Law S-403 Respecting Local Improvement Charges, Les Collins Avenue Road Upgrade, passed First Reading on February 1, 2000, and was now before Council for Second Reading.

Mr. Ted Tam, Manager, Design and Construction Services, presented the staff report.

Mayor Fitzgerald called three times for members of the public wishing to speak either in favour of or against the By-Law. 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 Colwell and Hetherington that By-Law S-403 Respecting Local Improvement Charges, Les Collins Avenue Road Upgrade be given Second Reading. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.3 Second Reading By-Law S-404 Respecting Local Improvement Charges, New Paving Projects Outside the Core Area - 1998**

- By-Law S-404 Respecting Local Improvement Charges, New Paving Projects Outside the Core Area - 1998, passed First Reading on February 1, 2000, and was now before Council for Second Reading.
- Correspondence from Sandra Belliveau, 10 Two Rivers Drive, Mineville, NS, dated February 14, 2000, and The Thomas Family, 6 Deerwood Drive, Mineville, dated February 20, 2000, regarding the above, was before Council for its consideration.

Mr. Ted Tam, Manager, Design and Construction Services, presented the staff report.

Mayor Fitzgerald called three times for members of the public wishing to speak either in favour of or against the By-Law. Hearing none, the following motion was put on the floor:

**MOVED by Councillors Greenough and Sarto that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

**COUNCIL DECISION**

Councillor Colwell stated there is a concern regarding Denise Drive. In 1993, Terry Court was approved for a charge of \$3.70 per foot. However, the contractors paved Denise Drive, in error, rather than Terry Court. The residents of Terry Court had to wait another six years to have their road paved. With this By-Law, the residents will now be charged \$13.10 per foot, rather than the \$3.70 originally approved. Councillor Colwell submitted a petition, from residents of Terry Court, objecting to the increased charge for paving of their street. The Councillor requested that staff review this situation to see what can be done to assist the residents, as it was not their fault the street was not paved in 1993, at the cost to which they agreed.

**MOVED by Councillors Colwell and Rankin that Second Reading of By-Law S-404 Respecting Local Improvement Charges, New Paving Projects Outside the Core Area be deferred for two weeks, pending a staff report regarding Terry Court. MOTION PUT AND PASSED UNANIMOUSLY.**

**10. CORRESPONDENCE, PETITIONS**

**10.1 Petitions**

**10.1.1 Councillor Read - Use of Landscape Pesticides**



Councillor Read submitted a petition containing 404 signatures, requesting a reduction of the use of pesticides on lawns. The Councillor also submitted 109 letters, on the same subject, which he stated can be added to letters previously submitted.

**10.1.2 Councillor Kelly - Drainage Ditch, Acadia Mill Drive to Salmon River Terrace**

Councillor Kelly submitted a petition containing 9 signatures of residents of Salmon River Terrace and Acadia Mill Drive requesting Council's support to resolve the problems associated with the drainage ditch running from these two streets.

**10.2 Presentations**

**10.2.1 Proposed Ship Harbour Long Lake Wilderness Area**

**i) Mr. Kermit deGooyer, Wilderness Co-ordinator, Ecology Action Centre**

- Correspondence from Mr. Kermit deGooyer, Wilderness Co-ordinator, Ecology Action Centre, regarding the above, was before Council for its consideration.

**ii) Pamela Langille, Eastern Shore Forest Watch**

Ms. Pamela Langille, Eastern Shore Forest Watch, made a presentation to Council regarding the proposed Ship Harbour Long Lake Wilderness Area. With the use of overheads, Ms. Langille illustrated the area, and requested that the Halifax Regional Municipality pass a resolution in support of the Province designating the proposed Ship Harbour Long Lake Wilderness Area under the Wilderness Areas Protection Act.

With the use of photographs, Mr. Kermit deGooyer, Wilderness Co-ordinator, Ecology Action Centre, stated the Centre and the Eastern Shore Forest Watch are not against forestry, but they are concerned with the type of clearcutting being performed by Kimberly-Clark in this area. Mr. deGooyer stated that Ship Harbour Long Lake is one of the last large tracts of Crown land that is not protected, and the Wilderness Act designation is the only way to ensure the future of these woods. Mr. deGooyer stated that many other Crown lands have already been clear cut, and Ship Harbour Long Lake is one of the last opportunities to protect such an area.

Mr. deGooyer stated that in 1992 the Province promised that by the year 2000, it would protect land in every different region of Nova Scotia. Land in this region has not yet been satisfactorily protected.

In closing, Mr. deGooyer appealed to Council to consider what it wants to do with its public lands, to recognize that time is running out, and to pass a resolution calling on the

Province to designate the proposed Ship Harbour Long Lake Wilderness Area under the Wilderness Areas Protection Act, and, in the interim, to declare a development moratorium so that the opportunity is not lost while the issue is being discussed.

Council agreed that the request should be forwarded to staff for a report in two weeks. Councillor Mitchell suggested the Councillors of District 1, 3 and 23 should also meet to discuss this issue, before deciding whether or not to move ahead with the request.

Mayor Fitzgerald thanked Ms. Langille and Mr. deGooyer for their presentation.

### **10.2.2 Regional Trails Project**

With the use of a laptop, Ms. Sue Matthews, Regional Trails Project, made a presentation to:

- Update Council on the progress of the Regional Trails Project and the success of HRM's investment to date in this major community development initiative.
- Solicit Council's Agreement in Principle regarding the overall direction, and obtain a commitment to the Regional Trails Program. This is important in the efforts to secure funding from other partners.
- Seek Council's support for an increased level of direct financial support to community trail association.

Copies of Ms. Matthews' presentation were circulated to Council.

Mayor Fitzgerald spoke in support of the project, and thanked Ms. Matthews for her presentation.

Later in the meeting, the following motion was put on the floor:

**MOVED by Councillors Mitchell and Colwell that the presentation regarding the Regional Trails Project be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.**

## **11. REPORTS**

### **11.1 MEMBERS OF COUNCIL**

#### **11.1.1 Councillor Blumenthal - Christmas Tree Pick-up**

This item was deleted from the Agenda, during Approval of the Order of Business.

**11.1.2 Councillor Adams - Volunteer Fire Department - Mr. Paul Dober's Presentation**

Councillor Adams requested the following information with regard to questions raised in the motion passed on February 1, 2000 regarding the Volunteer Fire Department:

- Information regarding the intent of Local 268 Executive, as described under the January 2000 Proposed Changes to Local 268's Constitution and By-Laws with respect to volunteers. Also, the result of the vote taken on these changes.
- That any decisions that affect, whether directly or indirectly, volunteers be forwarded to those volunteers for clarity and to minimize, if not eliminate, misinterpretation.

Councillor Adams stated there is still some uncertainty present with regard to the intent of some individuals in the Union. The Councillor advised that he has spoken with Mr. Dober and Mr. Rogers with regard to their position, and is encouraged by their comments.

Councillor Adams stated he would like to see some assurances given by the Executive, with regard to its position on the volunteers; and, respectfully requested them to bring forward Council's concerns to the International Association of Firefighters meeting, to ensure its Executive understands that there are some concerns.

Councillor Adams requested that Mr. Dober provide a response to his comments in the next two or three weeks.

Councillor Mitchell inquired about the Canadian Charter of Rights and the Freedom of Association, and how this relates to volunteer and paid firefighters. The Councillor suggested that this could be explained in Mr. Dober's response. Mr. Dober indicated that it may be more appropriate to have a response from someone with expertise in the Canadian Charter of Rights.

Councillor Kelly requested that the Union also respond as to whether or not the proposed changes to Local 268's Constitution and By-Laws with respect to volunteers should be expanded to include EMS and/or other related areas.

(Mayor Fitzgerald left the meeting at 7:05 p.m., and Deputy Mayor Cunningham assumed the Chair.)

**11.1.3 Councillor Streach - Volunteer Fire Department - Retirement Draft Proposal**

Councillor Streach spoke in support of the Volunteer Fire Department, and raised questions regarding the draft retirement proposal for volunteer firefighters, which states

the services of volunteers reaching the age of 60 years old are no longer required. The Councillor stated this is unacceptable, and puts the rural residents at risk. Councillor Streach noted four of the 60 year old volunteers, who are quite concerned with this proposal, were present in the gallery. The Councillor stated these men are very capable firefighters, regardless of their age.

Responding to questions of Councillor Streach, Fire Chief Mike Eddy made the following comments:

- It was determined the policy was required due to the new HRM Pension Plan.
- Based on Legal advice, it was deemed necessary to implement this policy across all of the HRM, including the volunteer firefighters.
- However, this policy is draft, with an effective date of June 1, 2000. So, there is a mechanism in place for volunteer chiefs to bring their concerns forward to be addressed.
- The policy was only just first discussed at a recent Fire Advisory Committee meeting held earlier this week.
- Only one chief and one firefighter has contacted his office regarding this policy.
- Many of the departments had policies, regarding age of retirement, in place before amalgamation. Many also included recognition that people could play another resource role after age 60.
- HRM's current insurance policy covers the volunteer firefighters up to age 70.
- The policy is open for discussion through the established Fire Advisory Committee, which has representation from the Volunteer Fire Department Chiefs.

Councillor Colwell echoed the concerns of Councillor Streach, stating there are a lot of capable volunteer firefighters in the rural community that are over the age of 60, who should be allowed to continue volunteering, providing they are in the proper physical condition. The Councillor stated it would be unfortunate to lose their expertise, and inquired if individual physical condition will be taken into consideration. Chief Eddy replied the issue of physical testing was raised at the Fire Advisory Committee, and it is open for discussion.

Responding to a question of clarification of Councillor Greenough, Chief Eddy stated the former City of Dartmouth and City of Halifax pension plans had a clause which prohibited firefighters from working past age 60. The new HRM plan does not have such a clause; therefore, this internal departmental policy was drafted to deal with the issue of personal safety. Councillor Greenough stated there should be a great deal of flexibility exercised in terms of when volunteers are told they are no longer capable for volunteering.

In response to concerns expressed by Councillor Mitchell regarding how the older volunteers are being treated at the stations, Chief Eddy stated he is not aware of any of

the incidents mentioned by the Councillor, but they will be addressed if the information is provided. Councillor Mitchell stated he had several other issues to raise, but agreed to meet with Chief Eddy to discuss them directly.

Deputy Mayor Cunningham thanked Chief Eddy for his comments.

#### **11.1.4 Councillor Read - Urban Transportation Council**

- Copies of the Executive Summary, *Transportation and Climate Change: Options for Change*, were circulated to Council.

Councillor Read provided Council with some information provided at a recent meeting, which Councillor Read attended on behalf of Regional Council, of the Urban Transportation Council of the Transportation Association of Canada. The major topic of the meeting was transportation and climate change. Copies of the Executive Summary, *Transportation and Climate Change: Options for Change*, were circulated to Council. Councillor Read suggested that Council should keep this information in mind when making major decisions respecting transportation issues.

Councillor Read stated he also attended a briefing by the Greater Vancouver Transportation Authority, and noted copies of Vancouver's draft strategic transportation plan will be made available in the Councillors' Office and passed on to staff for reference. Councillor Read stated he also obtained some copies of the Greater Vancouver Regional Growth Strategy, which he will pass on to the appropriate staff.

#### **11.1.5 Councillor Kelly**

- i) Needs Analysis/Provincial Plan - Subsidized Senior Apartment Units within HRM**

Councillor Kelly asked that a letter be sent to the Province requesting a needs analysis of subsidized senior apartment units within HRM to determine the uptake, as well as other alternatives that may be achieved to make these units more available to those in need. The Councillor noted there is a 454 name waiting list for various senior housing units, and acceptance can take up to three or five years, depending on the facility. Councillor Kelly also asked that the Province be requested to look at the Halifax Rehabilitation Centre after it closes.

**MOVED by Councillors Kelly and Downey that a letter be sent to the Province requesting a needs analysis of subsidized senior apartment units within HRM, and that the Province be requested to look at the Halifax Rehabilitation Centre after it closes.**

In response to a question of clarification from Councillor Blumenthal, Councillor Kelly stated the purpose of this request is to determine if the Province can increase its count to make the housing units more available to those in need. The Councillor noted there will also be an increase in demand for this type of housing in the future, and preparation for this increase needs to be done now, rather than after the fact.

Councillor Blumenthal suggested the letter should ask the Province to examine the possibility of building more senior manors, rather than an analysis. Councillor Kelly stated the analysis would determine if there was affordability and the time frame to do as Councillor Blumenthal suggested.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**ii) Nova Scotia Power/Provincial Tax Agreement - Request for Changes to Legislation**

With respect to the ever changing climate, the diversification of Nova Scotia Power, and cable companies joining the local phone market, Councillor Kelly requested that staff be directed to conduct a full comparison of all utilities (power, phone, cable, water and gas) to attempt to determine whether or not it is worthwhile to bring about proposed fixed legislation that would deal with all utilities, and put in a standardized taxation ability for HRM and all municipalities. Following the staff report, the Councillor suggested that, potentially, a letter could be sent to the Province to request a standardized taxation agreement.

**MOVED by Councillors Kelly and Greenough that this matter be referred to staff for a report.**

Councillor Blumenthal suggested it may be more appropriate to send this matter to the Union of Nova Scotia Municipalities, who are currently working with the Province on this issue. Councillor Kelly agreed that this may be another avenue to pursue, but currently Council does not have all the facts before them, and that is the purpose of the staff report.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**iii) Bedford Law Court - Closure**

Councillor Kelly stated the Bedford Law Court deals with 15,000 -20,000 appearances per year and takes in one of the largest catchment areas (Tantallon, Sackville, Halifax International Airport, Clayton Park, Rockingham and Bedford). The Councillor asked that a letter be sent to the Province requesting a status review of their progress to date, and,

further request, that they take into account the users of the court system, being the public, RCMP, and HRM Police.

**MOVED by Councillors Kelly and Mitchell that a letter be sent to the Province of Nova Scotia with respect to the Bedford Law Court closure. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2 CHIEF ADMINISTRATIVE OFFICER**

**11.2.1 Taxi Appeals Sub-Committee Composition**

- A staff report prepared for K. R. Meech, Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Adams and Read that Halifax Regional Council approve in principle By-Law A-100 attached as Schedule “B” to the staff report dated February 17, 2000 and direct staff to arrange for its introduction at First Reading. MOTION PUT AND PASSED UNANIMOUSLY.**

Later in the meeting, Councillor Adams served a Notice of Motion for First Reading of By-Law A-100 (see Page 19).

**11.2.2 Use of Provincial Election List - October 21, 2000, Municipal Election**

- A staff report prepared for K. R. Meech, Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Greenough and Blumenthal that Halifax Regional Council permit the Returning Officer to use the list of electors used in the Provincial Election held on the 27<sup>th</sup> day of July, 1999, for the regular municipal election to be held on October 21<sup>st</sup>, 2000, throughout the Halifax Regional Municipality.**

Ms. Vi Carmichael, Municipal Returning Officer, responded to concerns and questions of Councillors Read, Colwell, Schofield, Uteck and Merrigan, making the following points:

- A extensive revision period for the election list will take place, commencing approximately the first of June and will extend for about one month. Advertisements will be placed and the electorate will be invited to review the preliminary list to make necessary revisions.
- As much revision as possible will be carried out as within the mandate of the Municipal Elections Act.

- Under the Municipal Elections Act, eligible voters must be residents of the Halifax Regional Municipality for a minimum of three months prior to the date of the election.
- The provincial list will be utilized, but the by-election lists will be taken into consideration and the revisions will be made accordingly.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.3 Case 00213 Request to Amend the Halifax MPS for the Petro-Canada Limited Property on Barrington Street**

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

**MOVED by Councillors Blumenthal and Mitchell that:**

- 1. Halifax Regional Council request staff to initiate a process to amend the Halifax Municipal Planning Strategy (MPS) to allow for consideration of residential development on the Petro-Canada property on Barrington Street by way of development agreement; and,**
- 2. The plan amendment process include a public participation program as approved by Regional Council on February 25, 1997, and generally described in the staff report dated February 10, 2000. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.4 Case 00069 Application for a Development Agreement for a Mobile Home Park, Lucasville Road, Polling District 22**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.
- Correspondence from Tom Swanson, AGRA Whitman Benn, dated February 22, 2000, requesting that the staff report be withdrawn to allow their client the opportunity to engage a hydro-geologist and well driller to ascertain the feasibility of developing a ground water supply for the proposed mobile home park, and to provide the supplemental information to HRM staff before the matter is put forth to Council.

This item was deferred during the Approval of the Order of Business.



**11.2.5 By-Law L-102 Respecting Local Improvement Charges - Beaver Bank Servicing, Phase III**

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

**MOVED by Councillors Merrigan and Adams that:**

1. **Council approve the levying of \$70.00 per lineal foot frontage charge by approving in principle the adoption of By-Law Number L-102 Respecting Local Improvement Charges - Beaver Bank Servicing Phase III, and also give Notice of Motion to begin the formal adoption process.**
2. **A sewer area rate of \$.0737 per \$100.00 of assessment on all properties in the area shown on Plan No. 2 and a water area rate of \$.0740 per \$100.00 of assessment on all properties in the area shown on Plan No. 3, respectively, for each fiscal year starting 2000/01 until \$825,784.00 (Item #17 of Schedule "A" attached to the staff report dated February 15, 2000) plus interest is fully recovered.**

Councillor Merrigan stated he believes there is some unfairness in the costing of the water portion of this plan. The Councillor stated he is supporting the motion with the understanding that the Water Commission will be revisiting its financial support of the Beaver Bank area, which it has agreed to do.

**MOTION PUT AND PASSED UNANIMOUSLY.**

At a later point in the meeting, Councillor Merrigan served Notice of Motion for First Reading of By-Law L-102 Respecting Local Improvement Charges - Beaver Bank Servicing Phase III.

**12. ADDED ITEMS**

**12.1 Councillor Schofield - Salting**

With the use of photographs, Councillor Schofield illustrated problems with snow clearing and salting of streets in North End Dartmouth. Mr. Kulvinder Dhillon, Director, Engineering and Transportation Services, responded to questions of the Councillor, stating the snow and ice removal policy is the same for all three regions, Central, East and West. Councillor Schofield raised concerns expressed by a resident of Sea King Drive regarding catch basins. Mr. Dhillon indicated that he has made arrangements to meet with the resident to address his concerns directly.

**12.2 Councillor Uteck - Status of Dogs Off Leash in HRM Parks**

Councillor Uteck requested information on the status of the staff report with respect to off leash parks in HRM. The Councillor noted Point Pleasant Park is currently the only off leash park in all of HRM, and the park has experienced an significant increase in the number of dogs from all over the Municipality.

**12.3 Councillor Fougere - Raves**

Councillor Fougere reported on a public media briefing, which she recently attended, at which a representative from the Drug Section of the Vancouver RCMP made an excellent presentation encouraging municipalities to examine the possibility of licensing raves. The Councillor noted that two municipalities in British Columbia, Vancouver and New Westminster, have enacted rave licensing which requires promoters to make an application to host a rave party, identifying the venue location, and a security and medical plan. Each application is then scrutinized by City Council and local policing authorities.

Councillor Fougere requested that staff be directed to research what has been done in Vancouver and New Westminster, British Columbia, as an option for a proactive way to deal with problems associated with raves.

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

**12.4 Councillor Colwell - Subdivision Roads in Parts of District 3**

Councillor Colwell stated the Marine Drive Valley and Canal Community Council recently wrote a letter to the Nova Scotia Minister of Transportation and Public Works regarding snow removal in the Lawrencetown area. A response was received from Mr. David VanSlyke, Area Manager, Halifax East, which included a copy the Department's service standards for winter road service. The Councillor expressed concern with the response received from the Department, stating he would have liked to have received a response directly from the Minister. Councillor Colwell stated the winter service on roads in this area do not even meet the Province's own Salting Priorities for Level IV.

With the use of photographs, Councillor Colwell illustrated several instances where vehicles, one being a school bus, have lost control and left the roads due to the poor conditions. The Councillor stated this is an on-going problem which cannot continue, and requested that a further letter be sent to the Minister urging him to rectify this situation as it is causing a great deal of difficulty for the residents of the area.

**MOVED by Councillors Colwell and Snow that a further letter be sent to the Minister of Transportation and Public Works regarding road snow removal in the Lawrencetown area.**

In response to a suggestion of Councillor Blumenthal, Councillor Colwell stated he has met with representatives of the Department of Transportation and Public Works on a number of occasions, regarding this situation, with no results.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12.5 Legal Matter - Claim Settlement**

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

This item was originally on the agenda for the In Camera session that was scheduled to take place earlier in the day. However, due to time constraints, the In Camera session was not held.

Deputy Mayor Cunningham inquired if Council wished to move In Camera to discuss this matter, or, if there were no questions, adopt the staff recommendation now in open session. As there were no questions, the following motion was put on the floor:

**MOVED by Councillor Adams and Mitchell that Council approve the settlement of the legal action brought by the Plaintiff, Nina Marie Benoit, in the total amount of \$13,750.00 all inclusive for non-pecuniary damages, pre-judgement interest, costs and disbursements. MOTION PUT AND PASSED UNANIMOUSLY.**

**13. NOTICES OF MOTION**

**13.1 Councillor Kelly - Licensing of Automatic Machines**

**TAKE NOTICE** that at the March 7, 2000 meeting of Regional Council, I propose to introduce a motion to consolidate by-laws respecting the licensing of automatic machines. By-Laws to be consolidated would be:

- a. City of Halifax Ordinance Number 151 "Respecting the Regulation and Licensing of Automatic Vending and Amusement Machines";
- b. Town of Bedford By-Law No. 15100 "Trade and Licensing By-Law";

- c. Halifax County By-Law No. 15 "The Trade and Licensing By-Law"; and
- d. City of Dartmouth By-Law No. A-501.

The consolidation of the by-laws will standardize the licensing fees for automatic machines throughout the Halifax Regional Municipality.

In the creation of an HRM wide automatic machine licensing by-law, the feasibility of expanding the definition of automatic machine to include bank automatic teller machines (ATMs) is to be explored.

**13.2 Councillor Adams - First Reading of By-Law A-100**

**TAKE NOTICE** that at the next regular Council meeting to be held on Tuesday, March 7<sup>th</sup>, 2000, I intend to introduce a motion for First Reading of By-Law A-100 Respecting the Taxi Appeals Sub-Committee.

**13.3 Councillor Merrigan - First Reading of By-Law L-102**

Take notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 7<sup>th</sup> of March 2000, I propose to introduce for First Reading of By-Law Number L-102, Respecting Local Improvement Charges - Beaver Bank Servicing Phase III, the purpose of which is to amend By-Law Number L-100, the By-Law Respecting Charges for Local Improvements, by imposing Local Improvement Charges to the properties in the Beaver Bank area to provide funding necessary to complete the project and to keep the foot frontage charge at \$70.

**14. ADJOURNMENT**

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

Vi Carmichael  
Municipal Clerk