

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES March 6, 2001

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Jerry Blumenthal
Councillors: Stephen Streach
Gary Hines
Keith Colwell
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Jim Smith
John Cunningham
Dawn Sloane
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Brad Johns
Bob Harvey
Len Goucher
Reg Rankin

REGRETS:

Councillors: Bruce Hetherington
Sue Uteck
Stephen D. Adams
Gary G. Meade

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

The meeting was called to order at 4:30 p.m. with the Invocation.

2. PROCLAMATIONS - NONE

3. APPROVAL OF MINUTES - NONE

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

The following items were added to the agenda:

- 12.1 Councillor Rankin
 - i) Paving Funds for Rural Areas
 - ii) Lack of Public Housing Funds
- 12.2 Councillor Warshick - Dangerous and Unsightly Premises
- 12.3 Councillor Hetherington - Request to move Information Item #6 (Correspondence from Superintendent, Financial Institutions Canada dated February 15, 2001 re: Bank Closures) to the Regular Council agenda for discussion

The following items were requested to be deferred until the next meeting:

- 9.3.2 Presentation - Ms. Sandra Cober-Stasiulis - Offensive Odours, New Era Farm Compost Facility
- 10.1.1 Councillor Colwell
 - i) Dartmouth Shipyards Union
- 10.4.6 Moving Forward: Management of C & D Materials
- 10.4.8 Amendments to Administrative Order Number One Respecting the Procedures of Council
- 12.3 Councillor Hetherington - Request to move Information Item #6 (Correspondence from Superintendent, Financial Institutions Canada dated February 15, 2001 re: Bank Closures) to the Regular Council agenda for discussion

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the Order of Business, Additions and Deletions, be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

5. **BUSINESS ARISING OUT OF THE MINUTES**

6. **MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

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

9. **CORRESPONDENCE, PETITIONS & DELEGATIONS**

9.1 **Correspondence**

9.1.1 **Request for Permission for Fly Overs - Rodger Sorsdahl, Executive Director, Nova Scotia International Air Show**

C Correspondence from the Nova Scotia International Air Show requesting permission for fly overs during the period of September 7 - 9, 2001, was before Council for its consideration.

MOVED by Councillor Cunningham, seconded by Councillor Goucher, that Council grant permission to the Nova Scotia International Air Show to conduct over flights during the period of September 7 - 9, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.2 **Request for Consideration of Sidewalk - Sandra Everett, Chair, Halifax Regional School Board**

C Correspondence from the Halifax Regional School Board, dated February 26, 2001, requesting that Council give consideration to the construction of a sidewalk for the portion of the Bedford Highway between the corner of Millview Drive and the corner of Nelson's Landing Boulevard, was before Council for its consideration.

Councillor Goucher noted this request is a result of the discontinuation of the courtesy busing by the School Board. The Councillor asked that the request be forwarded to staff for a report to include cost estimates for this sidewalk and cost information if it were to be paid for through an area rate.

MOVED by Councillor Goucher, seconded by Councillor Cunningham, that this matter be forwarded to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.3 **Update on Halifax Regional Rehabilitation Centre Closure Plan**

- C Correspondence dated March 6, 2001, from the Halifax County Regional Rehabilitation Centre, providing an update on the closure plan of the Centre, was before Council.

This correspondence was for information purposes. It was noted that the closure has been extended to November 2001.

9.1.4 Door-to-Door Campaign - Red Cross Month (March)

- C Correspondence from the Canadian Red Cross, dated February 26, 2001, regarding Red Cross Month, was before Council.

It was noted that March is Red Cross Month and during this month the Red Cross will be holding a residential door-to-door campaign within the Halifax Regional Municipality.

9.2 Petitions

9.2.1 Councillor Goucher - Sackville Rivers Association

Councillor Goucher submitted correspondence from the Sackville Rivers Association seeking HRM's support to develop and construct trails within Admiral's Cove Park and to link them to the proposed waterfront development of HRM at Bedford. The Councillor asked that the correspondence be referred to Parks and Recreation.

9.2.2 Councillor Goucher - Noon Skating at LeBrun Center

Councillor Goucher submitted a petition containing over 100 signatures of residents of HRM requesting that noon skating at the LeBrun Centre be continued for April and May as the ice is remaining for use by other sports. The Councillor asked that the petition be forwarded to Recreation Services.

9.2.3 Deputy Mayor Blumenthal - Flooding - Novalea Drive

Deputy Mayor Blumenthal served a petition from residents of Novalea Drive expressing concern with water on the sidewalks and in their driveways, potentially creating basement flooding problems. The Deputy Mayor noted photographs will be forwarded to Mr. Kulvinder Dhillon, Director, Public Works and Transportation Services.

9.3 Presentations

As the presenters had not yet arrived, it was agreed to defer Item 9.3 Presentations to later in the meeting.

10. **REPORTS**

10.1 **MEMBERS OF COUNCIL**

10.1.1 **Councillor Colwell**

i) **Dartmouth Shipyards Union**

As agreed to during Approval of the Order of Business, this item was deferred to March 20th.

ii) **Supplementary Funding**

Responding to a question of Councillor Colwell, Mr. Wayne Anstey, Municipal Solicitor, suggested Council could request the Halifax Regional School Board to provide an accounting of how the supplementary funds are used. Mr. Anstey stated the School Board should now be in a good position to report on the use of these funds.

MOVED by Councillor Colwell, seconded by Councillor Cooper, that Council request the Halifax Regional School Board to provide an accounting of the uses of the supplementary education funds spent this year, particularly in the former Halifax County area.

Councillor Cunningham spoke in support of the recent improvements in the accounting of the School Board, and suggested this should not be looked upon that they are not providing what Council has asked of them.

Councillor Walker noted this same information has been requested by the Task Force on Education Funding, and he suggested, when the information is received, it could be forwarded to Council from the Task Force. The Councillor expressed concern with duplication of work. Councillor Goucher shared the same concerns. In response, Councillor Cooper suggested the two requested reports may be different, as the Task Force report may not contain the specific details requested by Councillor Colwell.

MOTION PUT AND PASSED UNANIMOUSLY.

Deputy Mayor Blumenthal requested a staff report with respect to the administration fees charged with respect to supplementary funding. The Deputy Mayor stated he would like to know if it would be less expensive for the Municipality to administer the funds itself.

Councillor Walker noted this same request has been put forth by the Task Force, and he agreed to ensure that all of Council receives a copy of the report when it is completed.

10.1.2 **Councillor Fougere - Position of Ombudsman**

Councillor Fougere requested a staff report to investigate the possibility of the Municipality having a position, similar to an ombudsman or a mediator, to try and resolve some disputes that are brought forward to Council. The Councillor expressed concern that Councillors are not trained in this field, and suggested there should be some system in place where those involved in these disputes can be referred for assistance in achieving a resolution.

MOVED by Councillor Fougere, seconded by Councillor Sloane, that this matter be referred to staff for a report.

In discussion of the motion, the following points were made by Council:

- C This would be a multi-faceted, useful position.
- C One person may not be sufficient to handle all the work such a position would involve.
- C Mediation or conflict resolution training would be a helpful component of Councillor training.
- C Such a position would be helpful once a Councillor has exhausted all means of resolution and the resident is still not satisfied.
- C As the Provincial Ombudsman position has been eliminated, some concern was expressed with respect to downloading to the Municipality.

Councillor Fougere suggested the report could also examine guidelines for the use of such a position if it were to be implemented. Councillor Cooper asked that in the preparation of the report staff bear in mind the fact that the Municipal Government Act identifies municipal governments as a responsible order of government. Councillor Colwell suggested the report could include research to determine if there is a similar position in other cities, and, if so, what are the duties of such a position.

MOTION PUT AND PASSED.

10.1.3 Deputy Mayor Blumenthal - Provincial Equalization Fund

- C The following documents were previously circulated to Council:
 - C Memorandum from George McLellan, Deputy Chief Administrative Officer, dated March 5, 2001, regarding the provincial property tax proposal.
 - C Municipal-Provincial Roles & Responsibilities Review, Steering Committee Meeting, February 27, 2001.
 - C Spreadsheet entitled Municipal - Provincial Fiscal Relations

Mr. George McLellan, Deputy Chief Administrative Officer, and Mr. Bruce Fisher, Budget Coordinator, reviewed the above reports previously circulated to Council. In their

presentation, Mr. McLellan stated the amount HRM is expected to pay to the equalization formula is \$17.3 million. Mr. McLellan stated there is concern that this formula paves the way for further provincial downloading.

Mr. Fisher explained how the equalization formula is calculated. It was agreed that a copy of this formula would be provided to all Members of Council. Mr. Fisher noted that HRM is growing at a faster rate than the rest of the Province, and, therefore, it could be looking at several million dollars more in the future. He suggested the \$17.3 million may be the floor figure, rather than the ceiling.

Responding to a question of Councillor Harvey regarding Social Services, Mr. McLellan reviewed the history of the service exchange agreement.

In response to a question of Councillor Streach, Mayor Kelly stated in looking at the Municipality's balance sheet, the Province sees an opportunity to acquire more funds. Councillor Streach stated this is fundamentally wrong, and Mayor Kelly agreed.

Councillor Streach noted the Premier recently stated that HRM would be \$1 million to the good with this proposal, and questioned how this could be. In response, Mr. McLellan stated the Province is estimating the Municipality will receive an additional grant in lieu amount of over \$3 million from federal government properties, as a result of business occupancy going to the commercial rate. However, Mr. McLellan suggested there is a high probability that the federal government would challenge this. Mr. Meech noted HRM could do away with business occupancy assessment without having this program available.

Responding to a further question of the Councillor, Mayor Kelly stated the Municipality can bring forward suggestions for adjustments to the proposal, but the Province will have the final decision as to how it proceeds.

Deputy Mayor Blumenthal stated the UNSM has nothing to do with this proposal and the Province is using them as a bargaining chip to sell this idea. The Deputy Mayor stated it is unfair the way HRM is being treated. The Province is proposing to give \$75,000 to each town in the Province, with no consideration as to size or need. The Deputy Mayor suggested the receipt of this money could make most believe this is a good deal. Deputy Mayor Blumenthal stated this is a discriminatory tax and it is not universal. He noted that no where else in Canada is such a program in place. The Deputy Mayor stated it is grossly unfair for the residents of HRM to have their service levels decreased because tax dollars are being transferred to other municipalities. In closing, the Deputy Mayor stated income tax is the mandate of the Province, not municipal tax. Deputy Mayor Blumenthal displayed a list of HRM MLAs and urged members of the public to contact them demanding that all municipalities be treated fairly. Later in the meeting, it was requested that this list also be posted to the HRM web site.

Councillor Cooper stated the HRM does not get the same consideration by the Province with respect to education disbursement. The Councillor stated the Province needs to start treating everyone in the same manner. Councillor Cooper stated the HRM needs to reiterate to all the municipalities in the Province, that if they want HRM to participate in the equalization, they have to support HRM in demanding that the Province treat HRM with the same equality as every other municipality in the Province.

(Councillor Sarto took his place at the meeting at 5:45 p.m.)

Councillor Johns stated he believes the Municipality is being punished for having its fiscal house in order, however he noted there are still things in the Municipality that are not being done, such as playground repair, street paving, etc. The Councillor stated HRM is being penalized for not spending money. Councillor Johns stated he could not support putting HRM money in other areas of the Province, when HRM has its own problems to deal with.

Councillor McInroy stated although he supports the concept of equalization, he does not support the use of property taxes to achieve this equalization. With respect to the issue of assessment, the Councillor noted the grants in lieu which the Province proposes to provide will be based on assessment valuations of those university properties, which the Province will undertake at HRM's expense. With regards to Citadel Hill, Councillor McInroy stated the Federal Government will never pay a grant in lieu of taxes on the \$36 million that has been applied to this property. Another example given by the Councillor indicating the Municipality needs to be very diligent when it comes to assessment, was with respect to the Westin Hotel. With the use of an overhead, the Councillor illustrated the assessed values of this property from 1990 - 2001, noting it was frozen at a low assessment for several reassessment periods. In response, Mayor Kelly stated this is an issue of which staff is aware and it will be dealt with further in the future.

Councillor Colwell requested a staff report illustrating what the municipal tax rate would be for the best and worst scenario for this equalization fund. Mr. McLellan agreed that staff could fulfill this request.

Mayor Kelly stated the Province has given the Municipality until March 23rd to respond and suggested an extension could be requested.

Councillor Mosher suggested the Province should take the money from its General Revenue rather than using the proposed equalization program.

Councillor Smith suggested public pressure on the Province is needed to support the Municipality in its position on this matter, and stated the information needs to be provided to the public.

Councillor Rankin questioned the lack of an effective voice in Cabinet by HRM, noting there

are only two Ministers from HRM, which comprises 40 percent of the Province. Councillor Rankin stated he does not believe residents of the rural areas of HRM will be able to afford this equalization anymore than residents of other municipalities. The Councillor further stated if this program goes forward, HRM will be subsidizing other municipalities, some unnecessarily.

Councillor Streach noted HRM is still \$340 million in debt and this proposal will only further add to that burden. Responding to a question of the Councillor, Mayor Kelly stated the meeting with the MLAs originally scheduled for March 7th is being rescheduled.

Councillor Hines stated he was not pleased with the level of support of UNSM, and a letter should be sent to them suggesting they should be supporting HRM in the principles set out for the disbursement of property taxes. Mayor Kelly noted the Union is aware of HRM's opinion on this matter, and the Board has decided not to take a stance in this issue to avoid pitting municipality against municipality. The Mayor noted HRM's membership in UNSM can be reviewed in the future, if Council feels the Municipality is not being well served by UNSM. Mayor Kelly noted if HRM did not belong to UNSM, it would force the Province to discuss issues directly with the Municipality.

Councillor Harvey stated the proper source of revenue for this program is through General Revenue, and not property taxes.

Councillor Goucher stated if UNSM is not prepared to support HRM in this issue, Council will need to step back and rethink its membership in this organization.

Closing the discussion, Mayor Kelly stated it is time for a governance policy, and governance dialogue and protocol, to be developed, as is the case in other areas of the country, and HRM will be pursuing this.

Council agreed to deal with Item 9.3 Presentations at this time.

9.3 Presentations

9.3.1 General Agreement on Trade and Services

- i) Ms. Ellen Gould**
- ii) Mr. Cliff White**

C A document entitled "*What is Currently at Stake for Local Governments at the WTO?*" by Ellen Gould and Murray Dobbin, as well as a copy of a motion unanimously passed by Vancouver, British Columbia City Council regarding the World Trade Organization, was before Council.

Mr. Cliff White and Ms. Ellen Gould made a presentation to Council regarding the proposed

changes to the General Agreement on Trade in Services (GATS) being discussed by the World Trade Organization (WTO). Ms. Gould stated she, and others, are available to staff and Councillors who are interested in discussing this issue in depth. In their presentation the following points were made:

- C Current negotiations, in which the federal government is taking a strong lead, look directly at municipal areas of concern such as zoning, building permits and construction. They are coming up with rules that say Council will have to prove that any regulations taken in any area that affect services, such as retail stores, water supply, zoning, etc., will have to be no more burdensome than necessary and could possibly be considered a barrier to trade.
- C One clause in the GATS states the number of suppliers of a service cannot be limited. Services would include such things as putting up billboards and limiting the number of taxi licenses.
- C The WTO does not take into consideration federal jurisdiction divisions, and if Canada commits to these rules, HRM will have to comply. If not, Canada, as a nation, would be subject to extreme penalties in perpetuity.

In closing, Ms. Gould suggested Council could pass a resolution, similar to the one passed by Vancouver City Council, stating it needs to be exempt from this agreement.

Mayor Kelly thanked the presenters for their comments.

9.3.2 Ms. Sandra Cober-Stasiulis - Offensive Odours, New Era Farm Compost Facility

During the approval of the Order of Business, this presentation was deferred.

RECESS

A recess was taken at 6:30 p.m. The meeting reconvened at 7:00 p.m.

10.2 MARINE DRIVE, VALLEY & CANAL COMMUNITY COUNCIL

10.2.1 Case 00287 Application for Amendment to Subdivision By-Law for Former Halifax County (set date for Public Hearing - March 27th)

- C A report from the Marine Drive, Valley and Canal Community Council, regarding the above, was before Council for its consideration.

MOVED by Councillor Hines, seconded by Councillor Colwell, that Council give First Reading to the amendments to the Subdivision By-Law for the former Halifax County,

as per Attachment 1 of the staff report dated November 1, 2000, to list Robinson Road, Windsor Junction, as a Schedule "A" road, thereby enabling the applicant to create one additional lot, and to set the date of March 27, 2001 for a Public Hearing. MOTION PUT AND PASSED UNANIMOUSLY.

10.3 PENINSULA AND WESTERN REGION COMMUNITY COUNCIL

10.3.1 Case 00197 - Amendment to Section IX of the Halifax MPS (Spring Garden Road Commercial Area Plan) and the Halifax Peninsula Land Use By-Law (First Reading and Setting date for Public Hearing - April 17th)

C A report from the Peninsula and Western Region Community Council, regarding the above, was before Council for its consideration.

MOVED by Councillor Sloane, seconded by Deputy Mayor Blumenthal, that Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-Law (text and map) as contained in Appendix A of the staff report dated February 15, 2001, and to schedule a Public Hearing for April 17, 2001.

Councillor Cooper asked that staff take into consideration Item 2, Page 10, of the February 15, 2001 staff report, with respect to the statement that sufficient parking is provided to meet the needs of residents, and provide answers during the Public Hearing stage to the following:

- C Is it more restrictive than what is currently there?
- C Might it end up saying people with cars are not allowed to park or have rental access to those facilities?

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Case 00071 - Amendment to the MPS for Beaver Bank, Hammonds Plains and Upper Sackville, within the Glen Arbour Golf and Residential Community (First Reading and Setting date for Joint Public Hearing - April 3rd)

C A report from the Peninsula and Western Region Community Council, dated March 1, 2001, regarding the above, was before Council for its consideration.

C Correspondence from Mr. Craig Bobbitt, 189 Glen Arbour Way, Hammonds Plains, objecting to a portion of the proposed development at Glen Arbour, was before Council for its consideration.

With respect to the correspondence received from Mr. Craig Bobbitt, the complainant,

Councillor Rankin suggested that staff meet with Mr. Bobbitt and the developer, and that a report come back to Council examining the merits of this case and determining if there is something HRM should be doing.

MOVED by Councillor Rankin, seconded by Councillor Goucher, that Council:

- (a) Give First Reading to consider the proposed amendments to the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville (Attachment 1 of the staff report dated February 20, 2001) and to schedule a Public Hearing for April 3, 2001.**
- (b) Give Notice of Motion to consider approval of a proposed Development Agreement (Attachment 2 to the Staff Report dated February 20, 2001) pursuant to the proposed MPS amendments and schedule a Joint Hearing for April 3, 2001.**
- (c) Request a staff report subsequent to a meeting between staff, the complainant and the developer prior to the April 3, 2001 Public Hearing.**

Councillor Cooper noted the proposed development agreement does not address the type of multi-unit dwelling that would be built, and asked that staff clarify if this should be included to meet what the proponent says he intends to do.

Councillor Warshick suggested this matter could be deferred and that a staff report be requested exploring further options before the Public Hearing.

With the use of overheads, Mr. Andrew Whittemore, Planner, gave a brief overview of the proposal for the benefit of Council. Mr. Whittemore stated the issue of concern is with a number of residents abutting Parcel D. The original concept plan approved in 1997 showed these five lots directly abutting the golf course lands. Parcel D would eliminate those lots backing onto the golf course. Since this has been brought forward to staff's attention, the developer has been consulted and is willing to reconfigure that parcel to ensure each of those five lots do directly back onto the golf course lands.

Councillor Warshick noted the previous proposal was to eliminate Lot 138 and put in a road and additional townhouses or condos behind the other lots. Therefore, these properties would not be abutting the golf course, which was what they paid for in the purchase price. The Councillor noted the secondary proposal allows for some green space, but very little for lots 136 and 137. Councillor Warshick stated the property owners would like Parcel D put back to its original location and property 138 reinstated.

Mr. Roger Wells, Regional Coordinator, Planning Services, stated this is a very specific issue

with regards to a component of the proposed development agreement, and really has nothing to do with the overall MPS policy that enables this to occur. The only thing Council is being requested to do at this time is to set a date for a Public Hearing, where comments, such as those of Councillor Warshick, can be heard by Council, and following hearing the comments directly from the interested citizens, then action can be taken by Council. Mr. Wells clarified this is only the initiation to get to the Public Hearing stage.

Councillor Warshick reiterated his suggestion that this matter could be deferred to allow the opportunity for the developer and other interested parties to confer to determine if there is a better plan before proceeding to the public hearing stage.

MOVED by Councillor Warshick, seconded by Councillor Cooper, that this matter be deferred to March 20th to allow the developer and the involved parties the opportunity to resolve the issues of concern.

Speaking against the motion, Councillor Rankin stated due process was followed with regard to public meetings and questioned if there was good cause to defer.

Councillor Warshick submitted a letter from the resident of Lot 136, who states he was not aware of the first public meeting. The Councillor asked that the letter be copied and provided to Council and staff.

MOTION PUT AND PASSED.

10.4 CHIEF ADMINISTRATIVE OFFICER

10.4.1 Tender 00-146 One New Pumper/Tanker

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

MOVED by Councillor Streach, seconded by Councillor Sarto, that Council:

- 1. Authorize the award of Tender #00-146 to the lowest bidder meeting specifications, Nova Enterprises Ltd., for the purchase of one (1) Pumper/Tanker at a cost of \$384,266.00 plus H.S.T. with funding provided as outlined in the Budget Implications section of the staff report dated February 21, 2001.**
- 2. Authorize an increase of \$192,243.00 to Capital Project CHF00168 as per budget implications.**

Councillor Cooper noted Administrative Order Number One indicates two Council sessions for approval are required when an over expenditure is involved. In response, Mr. Anstey stated this is correct. However, he noted with a two-thirds majority vote, Council could suspend the rules and approve the tender at this meeting.

MOVED by Councillor Streach, seconded by Councillor Sarto, that Council suspend the rules and approve this tender at this meeting. MOTION PUT AND PASSED UNANIMOUSLY.

The vote was then taken on the Main Motion.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4.2 Tender 01-006 Supply and Install a Photo-Processing Mini Lab (New or Reconditioned)

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

MOVED by Councillor Sarto, seconded by Councillor Goucher, that Council authorize the award of Tender #01-006 to the lowest bidder meeting specifications, Phototrader Inc. for a Noritsu Model QSS 1501 Zu Photo-Processor at a cost of \$53,500.00 plus HST as outlined in the budget implications section of the staff report dated February 26, 2001.

Chief David McKinnon, Police Services, responded to questions of Councillors Cunningham and Smith regarding this equipment and service.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4.3 Building Service Connections

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

MOVED by Councillor Walker, seconded by Councillor Johns, that Council approve:

- 1. An increase in 2000-2001 Operating Budget of Building Service Laterals, Account No. R818, from \$389,100.00 to \$1,400,000.00, and,**
- 2. The transfer of \$1,010,900.00 from Wastewater Stormwater Management Reserve Account No. Q106 to Building Service Lateral Account No. R818.**

Councillor Walker requested a staff report regarding what the process would be to have the costs of the plumber paid included in this account if a problem in the service connection is determined to be the fault of HRM.

Mr. Kulvinder Dhillon, Director, Public Works and Transportation Services, responded to questions of Councillor Cooper and Johns regarding this matter.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4.4 Billboard Structures on HRM Property

- C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.
- C Correspondence from Herman S. Dykeman, Operations/Real Estate Manager - Maritimes, Mediacom Inc., regarding the above, was circulated to Council.

MOVED by Councillor Sloane, seconded by Deputy Mayor Blumenthal, that this matter be deferred to the March 20, 2001 Committee of the Whole meeting at which time the three proponents will have the opportunity to make a presentation.

Councillor Streach spoke in support of the deferral, stating it is incumbent on Council to hear both sides of this issue.

Councillor Hines suggested Council should also explore options such as contracts that can work towards advertising the Municipality.

Speaking in support of the deferral, Councillor Warshick asked that staff consider a comparison of the revenue HRM is currently making from these billboards and the revenue received from the same company for bus shelter advertising. The Councillor suggested the bus shelter revenue is approximately five times greater.

MOTION PUT AND PASSED.

10.4.5 Spring Weight Restrictions

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

MOVED by Councillor Harvey, seconded by Councillor Goucher, that Halifax Regional Council:

- 1. Approve temporary maximum vehicle weight restrictions (as per Schedule A of the staff report dated February 27, 2001) applicable to all HRM streets not listed in Schedule B. These restrictions would be in effect beginning March 12, 2001, with the tentative removal date being April 30, 2001.**
- 2. Authorize the Engineer to modify the implementation dates, weight restrictions and list of exempted roads as conditions warrant.**

Councillor McInroy requested that staff comment with regard to the restriction being proposed to apply on Bissett Road from Cole Harbour Road to the Halifax Regional Rehabilitation Centre, as opposed to from Cole Harbour Road to Bissett Lake Road, on which is located the Scotia Poultry operation. The Councillor recalled this adjustment was previously made so the commercial vehicles that access that facility on Bissett Lake Road were not adversely affected by the restriction. Mr. Dhillon stated this could be looked at on an individual basis, rather than opening the road for the entire season.

Councillor McInroy stated the balance of Bissett Road itself, down to Rainbow Haven and Cow Bay Road could easily be left under the restriction. Mr. Dhillon agreed that this could be changed, and if there are any problems the matter can be brought back to Council.

MOVED by Councillor McInroy, seconded by Councillor Cooper, that the motion be amended with regard to the restriction being proposed to apply on Bissett Road from Cole Harbour Road to the Halifax Regional Rehabilitation Centre, as opposed to from Cole Harbour Road to Bissett Lake Road. MOTION PUT AND PASSED UNANIMOUSLY.

Responding to a question of Councillor Johns, Mr. Dhillon stated it is his understanding that the Department of Transportation will be enforcing the spring weight restrictions. Mayor Kelly noted this issue has been brought to the attention of the Province, and more information is expected to be provided by the Province.

Councillor Sloane expressed concern with commercial vehicles travelling from the ports through Halifax to outer areas before being weighed, and suggested an alternative may be to pave the crevices along the rail tracks so large trucks can travel this route instead.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4.6 Moving Forward: Management of C & D Materials

As agreed to during Approval of the Order of Business, this item was deferred to March 20th.

10.4.7 By-Law S-407 Respecting Charges for Street Improvements

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

In response to questions of Councillor Fougere, it was noted a staff report will be brought forward regarding the process to be followed for chip sealed streets, wishing to be moved up on the priority list for paving, who can do so by paying a local improvement charge.

Responding to a question of Councillor Walker, Mr. Kulvinder Dhillon, Director, Public Works and Transportation, stated if there is any differential the money stays in the overall capital budget account.

In response to a question of Councillor Colwell, Mr. Dhillon stated the policy for new paving on roads owned by the municipality is that 50 percent of the cost of the project will be paid by the Municipality and the other 50 percent will be paid by the abutting owners. Outside the core area where the Department of Transportation owns the roads, the Department is supposed to pay 50 percent and the residents pick up the remainder of the cost.

MOVED by Councillor Fougere, seconded by Councillor Sloane, that Council:

- 1. Approve the new Local Improvement standard costs as per the attached Schedule "A",**
- 2. Apply the new standard costs applicable to all 2001/02 capital projects and future projects, where such apply,**
- 3. Approve in principle the adoption of By-Law Number S-407, Respecting Charges for Street Improvements, attached to the staff report dated February 27, 2001, and also give Notice of Motion to begin the formal adoption process. MOTION PUT AND PASSED UNANIMOUSLY.**

10.4.8 Amendments to Administrative Order Number One Respecting the Procedures of Council

As agreed to during Approval of the Order of Business, this item was deferred to March 20th.

10.4.9 Case 00308 - Request to Amend the Halifax MPS for Lands on Mont Street in Mainland South, Halifax

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

MOVED by Councillor Mosher, seconded by Councillor Sloane, that staff be requested to initiate a public participation process, in accordance with the Public Participation Resolution adopted by Halifax Regional Council in February 1997, to enable Council to consider amending the Halifax Mainland South Secondary Planning Strategy and Mainland Halifax Land Use By-Law in order to redesignate and rezone the property at 3 Mont Street from Residential to Commercial. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.4.10 Change of Committee name from “Access-A-Bus Advisory Committee” to “Accessible Transportation Advisory Committee”

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

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Smith, that the Access-A-Bus Advisory Committee name be changed to the “Accessible Transportation Advisory Committee.” **MOTION PUT AND PASSED UNANIMOUSLY.**

11. MOTIONS

11.1 Councillor Whalen

Councillor Whalen noted a rewording of the proposed by-law was circulated to Council.

MOVED by Councillor Whalen, seconded by Councillor Walker, that Council give First Reading to By-Law S-302, an amendment to By-Law S-300, as follows:

BE IT ENACTED by the Council of the Halifax Regional Municipality, under the authority of Section 310 of the Municipal Government Act, that By-law S-300, the Halifax Regional Municipality Streets By-law is amended as follows:

1. Section 4 of said By-law S-300 is amended as follows:

(a) Clause (a) of subsection (1) of said Section 4 is amended by adding thereto the words “provided, however, that where a property containing a detached one-family dwelling unit, a duplex dwelling or a semi-detached dwelling unit as defined in the Land Use Bylaws has frontage on a street at both the front and rear of the property, the abutter shall not be required to remove the snow and ice from a sidewalk which is part of the street at the rear of the property, where the street at the front of the property is defined as the street on which the property has its civic address;” and

(b) By deleting the word “six” from the eighth line thereof and by substituting therefore the word “twelve”.

Councillor Whalen noted the proposed amendment will only apply to properties in the former City of Halifax where property owners are responsible for sidewalk shovelling. The Councillor noted the issue has arisen because of a very few properties that have sidewalks in the rear of their homes. In consultation with Streets and Roads, Councillor Whalen noted she changed her proposed amendment to make sure only houses, duplexes and semi-detached homes are included, and it is not intended to include commercial or multi-unit dwellings.

Councillor Whalen circulated information from a staff report to the Chebucto Community Council dated February 23, 1999, regarding sidewalk snow clearance. Councillor Mosher stated according to this staff report, the cost to clear all sidewalks in Districts 15, 16, 17 & 18 was estimated to be \$300,000.

MOTION PUT AND PASSED.

12. ADDED ITEMS

12.1 Councillor Rankin

i) Paving Funds for Rural Areas

Councillor Rankin requested a staff report, based on the correspondence sent to the Minister of Transportation in October 2000 regarding the lack of paving funds for rural areas, to include an action plan to see what remedy the Province can provide in terms of funding, or, in the absence of that, an action plan to resolve this impasse with the service exchange agreement.

MOVED by Councillor Rankin, seconded by Councillor Colwell, that this matter be referred to staff for report. MOTION PUT AND PASSED UNANIMOUSLY.

ii) Lack of Public Housing Funds

MOVED by Councillor Rankin, seconded by Councillor Warshick, that a letter be sent by the Mayor to the Minister responsible for Canada Mortgage and Housing, with respect to the lack of public housing funds in the latest throne speech, to ensure the housing program to be announced by Cabinet is truly an affordable housing program. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Councillor Warshick - Dangerous and Unsightly Premises

MOVED by Councillor Warshick, seconded by Councillor McInroy, that this matter be referred to staff for a report regarding updating the legislation for Dangerous and

Unsightly Premises to involve streamlining reviewing of fines and updating the total process to allow for more expediency from complaint to resolution or fine. MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Councillor Hetherington - Request to move Information Item #6 (Correspondence from Superintendent, Financial Institutions Canada dated February 15, 2001 re: Bank Closures) to the Regular Council agenda for discussion

During Approval of the Order of Business, this item was deferred to March 20th.

13. NOTICES OF MOTION

13.1 Councillor Cooper - First Reading By-Law S-407

TAKE NOTICE that, at the next regular Regional Council meeting, to be held on Tuesday, the 20th day of March 2001, I propose to introduce for First Reading By-Law Number S-407, Respecting Charges for Street Improvements, the purpose of which is to amend By-Law S-400, the Street Improvement By-Law, by imposing revised Local Improvement Charges for street improvement projects for 2001/02 and further Capital Budget projects.

13.2 Councillor Rankin - Amendment to Administrative Order 16

TAKE NOTICE that, at the next regular Regional Council meeting, to be held on Tuesday, the 20th day of March 2001, I propose to introduce for adoption by Council an amendment to Administrative Order 16, Respecting Fees for the Use of Solid Waste Management Facilities, to implement fees increased and contained in the 2001/02 Operating Budget to become effective April 10, 2001.

14. ADJOURNMENT

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the meeting adjourn at 8:15 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk

