

# **HALIFAX REGIONAL MUNICIPALITY**

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## **HALIFAX REGIONAL COUNCIL MINUTES APRIL 3, 2001**

**PRESENT:**

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

**REGRETS:**

Robert Harvey

**STAFF MEMBERS:**

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

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1. **INVOCATION**

Mayor Kelly called the meeting to order at 6:05 p.m. with the Invocation.

2. **PROCLAMATIONS - NONE**

3. **APPROVAL OF THE MINUTES - March 20, 2001**

**MOVED** by Councillor Hetherington, seconded by Councillor Sloane that the minutes of March 20, 2001 be approved, as circulated. **MOTION PUT AND PASSED UNANIMOUSLY.**

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

The following items were added to the agenda:

- 12.1 Councillor Sloane - Snow Removal
- 12.2 Councillor Cunningham - Cogswell Street Interchange
- 12.3 Councillor Smith - 105 Pinecrest Drive
- 12.4 Councillor Warshick- Request to move Information Item #5 (Lighting - Victoria Road Interchange) to the Regular Council agenda for discussion.
- 12.5 Contract Negotiation - Mirror Contract Arrangements
- 12.6 Street Closure and Sale of Land - Adjacent Esso Service Centre at 111 Kearney Lake Road

The following item was deleted from the agenda:

- 8.4 Downtown Parking garage (Deferral to April 10th)

At the request of Councillor Streach, consideration of the following item was **deferred** to a later date:

- 10.3.2 Administrative Order 24 Respecting Fire and Emergency Service in HRM

- Added to the Information Items was a report from the Chief Administrative Officer re: Customer Service.

**MOVED by Councillor Cunningham, seconded by Deputy Mayor Blumenthal that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **4.1 Community Council Issues**

At a later point in the meeting Mayor Kelly noted that Council has asked that the rules of Community Councils be enforced as well as the roles and responsibilities of Councillors within Community Council. Mayor Kelly gave notice that henceforth, items which are community based will be referred back to the Community Councils. He noted that if it is not possible to resolve the issue at the Community Council level, it will be referred back to Regional Council. Council generally agreed with Mayor Kelly's notice.

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

- Promotional material being circulated by Sierra Club and entitled "Halifax Harbour Clean up or Foul up" was distributed to Council.

Referring to item 10.1.1 of last week's Council agenda, Councillor Mosher noted that a letter from the Sierra Club of Canada had been referred to the Harbour Solutions Advisory Committee. Councillor Mosher advised that the Sierra Club had in fact campaigned her home seeking donations. Councillor Mosher referred to the promotional material provided to her by the Sierra campaigners entitled "Halifax Harbour Clean up or Foul up". Councillor Mosher, quoting from correspondence received from the Sierra Club relative to last week's agenda item indicated they were 'going door to door speaking to people about environmental issues'. The correspondence goes on to say that people consistently want to discuss aspects of the harbour clean-up. Councillor Mosher voiced the opinion that the promotional material prompted the discussion of the harbour clean up. She went on to express concern that the Sierra Club is implying they are raising money for the harbour clean up. The Councillor stressed that the Sierra Club has no association with HRM and that if residents make a donation they are not giving money for the harbour clean up.

Councilor Uteck noted that she had received a number of calls regarding this matter and expressed the hope that the Sierra Club would come forward and quantify their statements.

#### **6. MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS**

8.1 **Setting Dates for Continuation of Budget Review**

- A staff report dated April 3, 2001 and prepared for Mr. Ken Meech, Chief Administrative Officer was before Council for consideration.

Mr. Meech, referring to part 2 of the recommendation, suggested that this may have been a bit premature. He went on to advise that the intent of the Parking Lot Review Committee was to streamline the process in terms of the Parking Lot items, however, it may be felt that the Parking Lot items should be considered in full Committee of the Whole.

Councillor Walker noting that he was not in favour of Part 2, **MOVED, seconded by Councillor Goucher that:**`

1. **Regional Council approve the proposed dates of Thursday, April 5<sup>th</sup> and Friday, April 6<sup>th</sup> to continue the budget review. Meetings to commence at 9:30 a.m.**
2. **Parking Lot items be dealt with at full Committee of the Whole Council. Meeting date and time to be determined.**

At the request of Councillor Hetherington, an end time of 3:00 p.m. was agreed to by Council.

**MOTION PUT AND PASSED UNANIMOUSLY.**

8.2 **Maintenance Agreement HRM-008: Maintenance on Bridges on Former Cost Shared Streets, HRM**

- This matter was deferred to this meeting from the March 27, 2001 meeting of Halifax Regional Council.

Responding to a question from Councillor Goucher, Mr. Rick Paynter, Manager of Design and Construction Services, clarified that as of March 31, 2001 the agreement with the Province had expired. He went on to note that as of that date there are no cost shared streets in HRM. He indicated that the report before Council today would reinstate cost sharing for bridge structures which existed on those former cost shared streets. The implication in the agreement is that the Province will cost share on any surface works which take place on those

bridges, but will not be cost sharing on any road works which would have applied to the previously cost shared streets.

Councillor Fougere, referring to section 3.2, asked what, if any, impact this section had on truck route restrictions. In response, Mr. Dhillon indicated that he believed that section referred to restriction of vehicle weights and dimensions rather than time of use. He went on to note that he would clarify this matter.

A further discussion ensued, with Councillor Sarto expressing concern regarding the condition of the off ramp from the Portland Street interchange to Highway 111 and asking who would be responsible for the maintenance of this ramp. Mr. Dhillon indicated that maintenance of this ramp would be the responsibility of the Province and indicated that he would contact the Department of Transportation with regard to Councillor Sarto's concern.

**MOVED by Deputy Mayor Blumenthal, seconded by Councillor Hetherington that Council authorize the Mayor and Municipal Clerk to sign Maintenance Agreement No. HRM-08 on behalf of Halifax Regional Municipality. MOTION PUT AND PASSED.**

### **8.3 Councillor Sarto - Woodlawn Road**

- This matter was deferred from the March 27, 2001 meeting of Halifax Regional Council.

Councillor Sarto, with the aid of an overhead, described a traffic safety issue relative to Woodlawn Road. Councillor Sarto went on to note that Woodlawn Road was one of the collector streets in the former City of Dartmouth and that it is the only collector road having four lanes. Councillor Sarto described the dangers as seen by the community. Briefly, he noted that the safety issue to be on that portion of Woodlawn Road from Kelly Drive to Mount Edward/Woodlawn, this section being four lane. The Councillor indicated that in recent years there have been a number of car/pedestrians accidents on this section of street. In addition, children traveling to school have to cross this collector road several times per day. Councillor Sarto further noted that vehicles wanting to access Woodlawn Road either from the north side or the south side, do so with great difficulty.

**MOVED by Councillor Sarto, seconded by Councillor Streach that staff of Traffic Services prepare a report considering the possibility of reducing the two lanes to one traveling eastward on Woodlawn Road, with two lanes being reinstated when approaching Mount Edward Road; and further when traveling westward Woodlawn Road be one lane until the intersection of Kelly Road and Settle Drive at which point it becomes two lanes. MOTION PUT AND PASSED.**

### **8.4 Downtown Parking Garage**

- This matter was deleted from the agenda, to be dealt with at the April 10, 2001 meeting of Halifax Regional Council, during the approval of the Order of Business.

**8.5 Case 00071 Amendments to the MPS for Beaver Bank, Hammonds Plains and Upper Sackville, with the Glen Arbour Golf and Resident Community**

- This matter was deferred from the March 20, 2001 meeting of Halifax Regional Council. A supplementary dated March 27, 2001 prepared for Ken Meech, Chief Administrative Officer was before Council for consideration.

**MOVED by Councillor Rankin, seconded by Councillor Warshick that:**

- **Regional Council 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 March 27, 2001 supplementary staff report) and to schedule the public hearing for April 24, 2001.**
- **Regional Council and Western Region Community Council give Notice of Motion to consider approval of a proposed development agreement (Attachment 2 of the March 27, 2001 supplementary staff report) and schedule a joint Public Hearing for April 24, 2001;**
- **Regional Council approve a site specific plan amendment to the Municipal Planning Strategy for Beaver Bank, Hammonds Plains, and upper Sackville (Attachment 1 of the March 27, 2001 supplementary staff report) to allow higher intensity residential uses (two units dwellings, townhouse and multiple dwellings) on lands known as Blocks A, B, C and D, Glen Arbour Integrated Golf Course and Residential Community, by means of development agreement;**
- **Western Region Community Council, contingent upon the approval by Regional Council of the above MPS amendment and the approval or deemed approval of said amendment by the Minister, approve a new development agreement (Attachment 2 of the March 27, 2001 supplementary staff report) to allow for the construction of higher intensity residential uses (two unit, townhouses and multiple dwelling uses) on revised Blocks A, B, C and D, Glen Arbour Integrated Golf Course and Residential Community.**

- **Western Region Community Council discharge lands identified as “future residential development” from the existing development agreement #DA-FEN-04-96-18;**
- **The new development agreement to be signed within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval of said Agreement by Community Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods. Otherwise this approval shall be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED.**

Responding to a concern regarding inaccuracy of maps following the original map, Mr. Whitemore indicated that the error had been noted by staff and was being corrected.

**9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Petitions**

**9.1.1 Petition - Councillor Hetherington re All Weather Soccer Field**

Councillor Hetherington submitted and referred to staff a petition from 36 residents of District 8 on behalf of the Dartmouth United Soccer Club in support of the proposal for a new all weather field.

**9.1.2 Petition - Councillor Hetherington re Closure of Royal Bank, Woodside**

Councillor Hetherington submitted a petition from 500 residents of Woodside expressing dissatisfaction with the Royal Bank for their decision to close the Woodside (Johnston Avenue) branch effective May 11, 2001. Councillor Hetherington requested a copy of petition be forwarded to Royal Bank officials.

**9.1.3 Petition - Councillor Warshick re All Weather Field**

Councillor Warshick submitted and referred to staff a petition from 105 residents of District 6 on behalf of the Dartmouth United Soccer Club in support of the proposal for a new all weather field.

**9.1.4 Petition - Councillor Sarto re All Weather Field**

Councillor Sarto submitted and referred to staff a petition from 88 residents of District 7 on behalf of the Dartmouth United Soccer Club in support of the proposal for a new all weather field.

## 9.2 Presentations

### 9.2.1 Biological Wastewater Treatment Systems in Halifax Peninsula - (Chris Holms and Christine Macy)

- A brochure entitled Sewage Treatment in Halifax, Problem to be Solved or Opportunity to be Gained was distributed.

Mr. Chris Holms addressed Council indicating that the undergraduate urban design students at the Dalhousie School of Architecture have been examining alternatives to sewage treatment in Halifax. Mr. Holms indicated that students believe that a biological waste water treatment system, not a chemical waste treatment system was the best option for HRM.

Mr. Holms noted that this possibility had been considered in the past, however, he advised that a number of things have changed over the last number of years and biological waste water treatment systems had evolved. Referring to the cost and complexity of the required infrastructure for a chemical waste treatment system, he noted that with chemical waste treatment system the end result was still quite toxic. Mr. Holms went on to describe biological sewage treatment and why it would work in Halifax as follows:

- Existing infrastructure of distributed outlets an asset
- Biological/Non-Chemical Waste treatment systems are fully scalable - working as well for 100,000 as for 10 people
- Waste treatment can take place at already existing system of outlets
- Lack of odour and noise resulting from Biological/Non-Chemical Waste treatment systems means it can be a good neighbour to parks, commercial and residential settings
- Combined storm water/sewage system would not need to be separated
- Space is not an issue as the system can be built vertically, can be greenhouses in parks or built on top of existing commercial buildings

Ms. Christine Macy then addressed Council relative to the Community aspects and benefits for Halifax as follows:

- Biological/Non-Chemical Waste treatment is a Canadian technology - the Architecture School has examined the theory rather than the particular technology
- Allows us to look at a de-centralized treatment for sewage rather than centralized – this is appropriate given that we are a number of communities
- Technology would create beautiful greenhouses which could be used as community space

- Property values near a community greenhouse have been shown to increase (Bear River)
- Prevents communities from being ‘invaded’ by chemical waste treatment plant
- ‘Not in my back yard’ syndrome becomes ‘Please have in my back yard’ syndrome
- This form of sewage treatment builds on HRM’s strengths
- Benefit to the environment and the taxpayers of HRM
- Potential business synergies with the growing of hydroponic vegetables, flowers and ornament plants
- Can exist with commercial, industrial and residential uses and can be incorporated in new development
- Commercial buildings could manage their own waste
- Tax incentives could encourage new development to make use of this technology to take care of their waste, thereby, relieving HRM from that burden

Mayor Kelly thanked the presenters and noted that this presentation would be referred to staff.

#### **9.2.2. Daniel Rainham - Earth Car Free Day**

Mr. Daniel Rainham thanked Council for the opportunity to present at this evening’s meeting noting that he was one of over 200 volunteers with the Ecology Action Center.

Mr. Rainham went on to describe that Earth Car Free Day was an opportunity for open, cooperative reflection on the problem of cars and traffic in cities. He indicated that people and communities have an opportunity to learn about and even try some alternative ways of getting around in a “less-car” environment. Mr. Rainham advised that there were challenges among cities to use public transportation, encourage car pooling, walking and cycling. He noted that setting aside this day is a method to draw attention to pollution problems and the need for sustainable transportation systems.

Explaining why a car free day in Halifax, Mr. Rainham noted that although numbers on the Peninsula are decreasing it is the center of employment for the wider area. He noted that greater numbers of cars are traveling to the core of Halifax for just that reason – to go to work. He went on to say that Car Free Day promoted such things as an integrated transportation plan, exploration and investment in alternate public transport modes, and a bicycle/pedestrian coordinator for HRM. In conclusion, Mr. Rainham challenged Councillors to use the bus on April 19, 2001.

Councillor Fougere thanked Mr. Rainham for his presentation and noted that Rebecca O’Brien of HRM staff has been very involved with Earth Car Free Day. She noted that Mayor Kelly would be proclaiming April 19<sup>th</sup> as Earth Car Free Day at the April 17<sup>th</sup> session of Halifax Regional Council.

Mayor Kelly thanked Mr. Rainham for his presentation

10. **REPORTS**

10.1 **NORTH WEST COMMUNITY COUNCIL**

10.1.1 **Case 00263 Request for an Amendment to the Sackville MPS and LUB - 1260 Highway 1 (Atlantic Gardens) Middle Sackville (First Reading and Set Date for Public Hearing - April 24)**

- A report dated March 29, 2001 prepared for Robert P. Harvey, Chair, Northwest Community Council was before Council for consideration

**MOVED by Councillor Johns, seconded by Councillor Goucher that:**

- **Halifax Regional Council give First Reading and set a Public Hearing date for April 24, 2001**
- **Halifax Regional Council apply a modified C-2A (Minor Commercial) Zone to the entire Atlantic Gardens site and that the existing garden center use be recognized as an existing use and be permitted to expand by right. The modified C-2A zone would permit retail stores, food stores, service and personal service shops, offices, commercial schools, banking and financial institutions, restaurants, shopping plazas and malls, commercial recreation uses, greenhouses and nurseries, and veterinary hospitals and kennels.**
- **Halifax Regional Council discharge the April 17, 1979 development plan which was approved by the former Halifax County Council for the site to permit construction of a greenhouse operation under the Planned Unit Development (PUD) By-law.**

**MOTION PUT AND PASSED.**

10.1.2 **Case 00261 Request for an Amendment to the Bedford MPS and Land Use By-law - 700 Kearney Lake Road (First Reading and Set Date for Public Hearing - April 24)**

- A report dated March 29, 2001 prepared for Robert P. Harvey, Chair, Northwest Community Council was before Council for consideration.

**MOVED by Councillor Goucher, seconded by Councillor Johns that:**

- **Halifax Regional Council give First Reading and set a Public Hearing date for April 24, 2001.**

- **Halifax Regional Council approve an amendment to Policy R-6 of the Bedford Municipal Planning Strategy and Land Use By-law to permit the development of 700 Kearney Lake Road with lots having a minimum lot frontage of 150' and a minimum lot area of two acres.**

**MOTION PUT AND PASSED.**

## **10.2 REGIONAL TAXI AND LIMOUSINE COMMITTEE**

### **10.2.1 Second Reading By-Law T-115 Respecting the Regulation of Taxis and Limousines**

- A report dated March 27, 2001 prepared for Councillor Stephen Adams, Chair, Taxi and Limousine Committee was before Council for consideration.
- Correspondence dated April 3, 2001 from J.P. Gallant, President and Darshan Virk, Past President of the United Cab Drivers Association was distributed.

Mr. Anstey, providing an explanation for Council, indicated that staggered licensing for vehicles had been the subject of a Public Hearing on February 20, 2001. He noted that Halifax Regional Council, after hearing concerns from members of the industry related to vehicle owners whose birthdays fell during the winter months not having an opportunity to do maintenance work on their vehicle immediately prior to licensing, referred the matter of staggered licensing of vehicles back to the Taxi Committee. Mr. Anstey indicated that the amendment before Council tonight would continue the staggered licensing system, but would give an option to those taxi owners whose birthdays fell in the months of November, December, January, February, March or April to license their vehicles in May, June, July, August, September or October respectively. He further noted that in order to enable drivers to do all licensing (driver and vehicle) at one time, they could also opt to renew their driver's license at the same time.

Mr. Anstey further noted that as these changes to the By-law responded to input from a Public Hearing and do not affect the basic licensing system, there is no requirement for another public hearing.

Mr. Peter James, Regional Coordinator, By-law Enforcement, addressed Council indicating that staff was in favor of the proposed amendment but, in light of ongoing licensing, would request that implementation be deferred to July 01, 2001, to which Council agreed.

A brief debate ensued with Councillor Cooper clarifying the contents of the April 3, 2001 letter from the United Cab Drivers Association of Halifax. He advised that the information referred to in Mr. Virk's letter had been offered at the price it would cost to produce the information. This offer has not been accepted.

After a further short discussion it was **MOVED by Councillor Adams, seconded by Councillor Mosher that Halifax Regional Council give Second Reading to that part of By-law T-115 attached as Schedule "A" to the March 27, 2001 report. MOTION PUT AND PASSED.**

#### **10.2.2      Advance Taxi Fares**

- A report dated March 27, 2001 prepared for Councillor Stephen Adams, Chair, Halifax Taxi and Limousine was before Council for consideration.

**MOVED by Councillor Adams, seconded by Councillor Sarto that Halifax Regional Council approve in principle By-law T-117 attached as Schedule "A" to the March 27, 2001 report and instruct staff to arrange for its formal introduction before Regional Council for adoption.**

A lengthy debate, including the following points, ensued:

- Request for advance fare should not be legislated. Drivers should make judgement call as to whether they will or will not accept the fare.
- Advance fare should be a company policy rather than included in the By-law
- Not receiving payment is a risk of doing business
- This change is not a progressive one
- This change would incite arguments, thereby, placing drivers in a dangerous position
- Not paying a taxi fare is a crime against the driver and should be reported to the police
- Drivers will not abuse this provision
- This provision will curtail the activities of repeat offenders
- Wording is key - 'may require'
- A crime of this nature would have little priority
- This provision provides driver with an alternative to refusing the fare

Councillor Russell indicated that he believed a similar clause had been included in the former City of Halifax By-law and requested that staff provide clarification.

Note was made that drivers are only permitted to refuse a fare if they fear for their safety.

Councillor Adams requested a **Recorded Vote**.

Members of Council voting **in favour** of the motion: Councillors Hines, Colwell, Sarto, Smith, Walker, Whalen, Mosher, Adams, Johns, Goucher, Rankin, Meade.

Members of Council voting **against** the motion: Mayor Kelly, Deputy Mayor Blumenthal and Councillors Streach, Cooper, McInroy, Warshick, Hetherington, Cunningham, Sloane, Uteck, Fougere.

**MOTION PUT AND PASSED. (12 in Favour, 11 Against)**

(Councillor Harvey was absent.)

### 10.3 CHIEF ADMINISTRATIVE OFFICER

#### 10.3.1 First Reading By-Law N-201 An Amendment to By-Law N-200 Respecting Noise

- A report dated March 15, 2001 prepared for Ken Meech, Chief Administrative Officer was before Council for consideration.

Councillor Walker, seeking clarification of Section 2 (n), asked if this section referred to snow removal on private property such as parking lots. In response, Mr. Anstey indicated that this amendment would grant an exemption for snow removal operations during the snow storm or within 24 hours after the end of the storm to private property owners. He noted that at the present time if plowing was undertaken after a certain hour, the property owner could potentially be in violation of the By-law.

Responding to a question from Mayor Kelly, Mr. Peter James, noted that the Bedford Street Mall/Union Street exemption remained within the By-Law with this amendment. He further noted that municipal snow clearing operations were exempt from the provisions of this Bylaw.

**MOVED by Councillor Cunningham, seconded by Councillor Hetherington that Halifax Regional Council approve First Reading of By-law N-201, attached as Appendix A to the March 15, 2001 report, amending By-law N-200 Respecting Noise.**

Noting that snow removal is a huge issue where residential property abuts commercial property, Councillor Fougere **MOVED, seconded by Councillor Goucher that First Reading of the By-law be amended by the deletion of Clause 2 (n).**

A debate ensued with Mr. Anstey clarifying that this amendment related to private snow clearing operations (i.e. mall parking lots) rather than municipal operations.

Councillor Goucher indicated that he would be supporting the amendment, however, he asked if it would be possible to get a schedule of specific sites and specific hours during which snow removal could be undertaken. He indicated that he felt this was a better solution than a broad brush application.

Mr. Anstey indicated that under the By-law anyone can apply for an exemption from Council. He went on to note that the intent of this amendment was to provide a blanket provision which would eliminate the need for individuals to apply for a an exemption.

After a further discussion of the amendment, the **MOTION TO AMEND WAS PUT AND DEFEATED.**

A further debate on the main motion ensued after which the **MOTION WAS PUT AND DEFEATED.**

Referring to the work which would be undertaken by the Bridge Commission this summer, it was **MOVED** by Deputy Mayor Blumenthal, seconded by Councillor Hetherington that Halifax Regional Council approve First Reading of the following amendment to By-Law N-201 Respecting Noise:

Section 4 (c) of By-Law N-200 is amended by repealing:

- (1) clause (c) thereof and by substituting therefor the following:
  - (c) employees, contractors, or agents of the Municipality, the Government of Canada, the Province of Nova Scotia, the Halifax Regional Water Commission, the Halifax-Dartmouth Bridge Commission, the Nova Scotia Power Corporation, MTT and other telecommunications companies when those employees, contractors or agents are acting in the reasonable execution of their duties;

Noting that she could not support this amendment without providing for reasonable notice to residents, Councillor Sloane **MOVED**, seconded by Deputy Mayor Blumenthal that the motion be amended to include a provision for reasonable notice to residents of any work unless the work is to deemed to be an emergency.

After a further short discussion, the **MOTION TO AMEND WAS PUT AND PASSED.**

**MOTION, AS AMENDED, WAS PUT AND PASSED.**

### **10.3.2 Administrative Order 24 Respecting Fire and Emergency Service in HRM**

- Consideration of this matter was deferred to a later date during the approval of the Order of Business.

### **10.4 MEMBERS OF COUNCIL**

#### **10.4.1 Councillor Walker - New Era Farms**

Councillor Walker referred to the New Era Farm contract and posed questions, as follows:

#### **Page 2 - 1.2 Contractor Qualifications:**

“The contractor has the expertise, experience and resources to carry out the above-described activities.” Does the operator have this expertise and experience?

#### **Definitions**

**Page 5 (w)** - "Curing or cured means that part of the composting process whereby Source Separated Organics which have been subject to the composting process are stabilized to become compost." Does this mean the organics are to become compost?

**Page 9 (III)** - "Source separated composting facilities means the buildings and structures." Does this mean that the compost is to be completed on the site?

**Page 11 3.1 - Adequacy of design**

- (a) All source separated organics other than non-compostable materials delivered to the facilities will become compost.
- (b) The facilities will not create a nuisance at law and will meet all requirements of applicable law."

Was the plant designed to carry out these functions?

**Page 16 5.3 - No Nuisance**

"Throughout the operating term they shall not commit or cause any nuisance at law or waste at or near the site or permit the emission of any offensive substances, odours, liquids, from the facilities. In carrying out the operating services the contractor must ensure that the convenience of the public is always considered and provided for."

Has the facility been designed to prevent this from occurring and is there any way to prevent the odours getting into the air?

**Page 20 6.6 Construction Completion Date**

- (c) Facilities Complete. The contractor has certified to HRM that the Facilities re constructed and completed and operate in accordance with the Facilities Design and that the Compliance Test Program has been satisfactorily completed."

Was this ever completed and did the facility ever produce compost?

**Schedule 2.1 (1) Compliance Test Program**

2.10 (a) "After having cured for a period of at least sixty (60) days, the source separated organics is ready to be marketed." Will the present facility produce this result?

**Site Development and Building Standards**

**Page 3 10.1** "The facilities and any buildings constructed on the property are to be of a flat roof design." How did a dome roof get constructed on the site?

**Operations Plan**

**Page 4 1.2.1** "Acceptance of Source Separated Organics by the load is 10% by weight contain materials which are not subject to biological degradation and considered to be non-processable contaminants." Why is box board, wet newspaper, wet cardboard, potato bags, large paper bags for compost bins, wet paper removed from the line and not accepted at this facility? Why are they accepted at Miller? Why are they not in this agreement?

**Page 19 5.4 Community Relations and Complaint Response Procedures**

5.4.1 "A complaints response procedures program will be adhered to strictly to ensure that the facility will not create a nuisance.

5.4.2 HRM will establish, in collaboration with New Era Farms, a Community Monitoring Committee.

5.4.3 Should a complaint arise about the facility, the following steps will be followed:"

Why was a Community Monitoring Committee not formed? Why is there an ad in the Masthead by New Era Farms for members for the CLC? Have the complaints followed the steps?

**Section 2**

**Page 5 2.2.1 General Description**

"The tipping hall is to operate under negative pressure." Why is this not happening?

**Schedule 2.1 (cc) Guarantee Agreement**

Is this agreement in place and valid? What dollar amount does this guarantee include?  
e.g. 8 million

Can New Era Farms walk away from the facility and just hand HRM the keys? Councillor Walker indicated that he could find no reference to this in the agreement.

Are we now paying New Era extra for removing the non-organics in the tipping hall? If this is so, is this covered in the agreement and has the agreement changed?

What back up has been put in place if we or the Province close the facility?

Has HRM been notified of the problem that occurred at the facility this morning when the Mayor and I were on site?

Councillor Rankin noted that Council had referred the matter of New Era Farms to the Solid Waste Resource Advisory Committee and that it was to be discussed tomorrow at a meeting of the Committee.

Requesting that his question be included with the response to Councillor Walker's, Councillor Johns asked why meat and vegetation products were not separated at New Era Farms.

**MOVED by Councillor Walker, seconded by Councillor Johns that staff prepare a report responding to the above questions relative to New Era Farms. MOTION PUT AND PASSED.**

**10.4.2            Councillor Adams - Ketch Harbour Government Wharf**

Councillor Adams noted that the Ketch Harbour and Area Residents Association would like to assume responsibility for the Ketch Harbour Government Wharf as the Federal Government is divesting themselves of all responsibility.

**MOVED by Councillor Adams, seconded by Councillor Mosher that the legal department prepare a report regarding the possibility of an agreement between HRM and the Residents Association which would allow the Residents Association to assume responsibility for the facility and be covered for any liability that may arise.**

Councillor Colwell noted that if the Residents Association were to form a Harbour Authority the Federal Government would provide liability insurance and a 3 to 5 year maintenance fund.

**MOTION PUT AND PASSED.**

**10.4.3      Councillor Rankin - Swimming Pool By-Law**

Councillor Rankin advised that he has received several representations regarding the installation of swimming pools. He noted that many residents who have tried to install a swimming pool have been unable to do so based on the requirements as they exist in the former County of Halifax By-Law.

**MOVED by Councillor Rankin, seconded by Councillor Goucher that staff prepare a report harmonizing the existing Swimming Pool By-Laws and prepare the appropriate amendments to the By-Law in a timely fashion for the summer construction season. MOTION PUT AND PASSED.**

**10.4.4      Councillor Goucher - Halifax International Airport Authority**

Noting the key importance of Halifax International Airport remaining competitive, Councillor Goucher **MOVED, seconded by Councillor Warshick that Halifax Regional Council support the following:**

**Whereas, Halifax International Airport (HIA) has served Halifax Regional Municipality and Nova Scotia for more than 40 years and is an integral part of our transportation network functioning as the 'hub' for air transportation in Atlantic Canada; and**

**Whereas, over 3,000,000 passengers pass through the gates of HIA and 150,000 aircraft movements are logged yearly; and**

**Whereas, HIA contributes over \$1.5 Billion to the Nova Scotia economy and plays a key role in attracting new business to the region; and**

Whereas, HIA holds over 11,000 jobs attributable to the airport community, with economic impact of some \$289,000.000; and

Whereas, the leading growth sector in air traffic is with our largest trade partner, the United States; and

Whereas, most major Canadian airports now have US pre-clearance for passengers to facilitate trans-border travel.

**BE IT THEREFORE RESOLVED** that Halifax Regional Municipality supports Halifax International Airport Authority in its efforts to remain in a strong competitive position by lobbying the US Government for US Pre-clearance of Customs and Immigration for non-stop flights to the US from Halifax International Airport.

**MOTION PUT AND PASSED UNANIMOUSLY**

**10.4.5        Councillor Colwell - Parking At Bus Stops**

Councillor Colwell referred to the increasing problem with vehicles other than buses parking at bus stops and the difficulties this creates for drivers and passengers alike.

**MOVED by Councillor Colwell, seconded by Councillor Smith that Halifax Regional Municipality move more aggressively to enforce no parking at bus stops. MOTION PUT AND PASSED.**

**10.4.6 (i)     Councillor Smith - Primrose Street Playground**

Councillor Smith advised that the playground located on Primrose Street was closed last week and the equipment moved out. He noted that this came as a result of the owner not renewing the lease. Noting that the playground was well used, he indicated that although he had received advance notice, no signage had been posted advising the neighbourhood. Councillor Smith went on to note that this property is located only one street from 52 Jackson Road, a property which is being evaluated for possible use by the municipality.

**MOVED by Councillor Smith, seconded by Councillor Sarto that staff include in the report relating to 52 Jackson Road where, how and when the recently closed playground on Primrose Street will be replaced; and further that staff provide purchase prices for any properties dealt with in this report. MOTION PUT AND PASSED.**

**10.4.6(ii)    Councillor Smith - Lancaster Ridge Transit Service**

Councillor Smith noted that Lancaster Ridge residential development has added many new residents to the area. He went on to indicate that one problem which has arisen is that people who rely on transit must travel up a steep hill and across a busy highway to get to the nearest sheltered bus stop. This has become problematic, especially in the winter. Councillor Smith advised that transit service goes directly by this area and by doing one additional small loop, taking only one or two minutes, with even one stop halfway through the loop service could be provided to these residents during the morning and evening peak hours.

**MOVED by Councillor Smith, seconded by Councillor Hetherington that staff provide a report regarding provision of service to Lancaster Ridge as described above and also provide a report addressing peak hour bus service to the Burnside Industrial Park which would enter the Park from the bottom of the Park by way of Windmill Road. MOTION PUT AND PASSED.**

**11. MOTIONS - NONE**

**12. ADDED ITEMS**

**12.1 Councillor Sloane - Snow Removal**

- This matter was added to the agenda during the approval of the Order of Business.

Noting that the downtown (District 12) was widely used by all residents of HRM, Councillor Sloane **MOVED, seconded by Deputy Mayor Blumenthal that staff prepare a report regarding the possibility of an area rate relative to snow removal from sidewalks in the downtown. MOTION PUT AND PASSED.**

**12.2 Councillor Cunningham - Cosgswell Street Interchange**

- This matter was added to the agenda during the approval of the Order of Business.

Councillor Cunningham expressed concern regarding media reports and discussion by other groups regarding the demolition and reconstruction of the Cosgswell Street Interchange. He went on to note that he has received calls from concerned residents and in light of the publicity he indicated he would like a report in this regard.

**MOVED by Councillor Cunningham, seconded by Councillor Sloane that staff prepare a report with input from Planning & Development, Engineering and Traffic Services on the proposed demolition and redevelopment of the Cosgswell Street Interchange. MOTION PUT AND PASSED.**

Councillor Sloane requested that staff talk with the Downtown Business Commission who has done a study regarding the Cogswell Street Interchange and incorporate the Commission's findings in their report.

### **12.3 Councillor Smith - 105 Pinecrest Drive**

- This matter was added to the agenda during the approval of the Order of Business.

Councillor Smith referred to the disposition of a slum apartment building at 105 Pinecrest Drive which had recently gone to Sheriff's sale and indicated that he would like a staff report in this regard. Councillor Smith noted that recommendations contained in the Pinecrest/Highfield Neighbourhood Plan of 1991 called for a demonstration project which highlighted the purchase of apartments to change over to small lot housing.

**MOVED by Councillor Smith, seconded by Councillor Sarto that staff prepare a report regarding the possibility of the municipality obtaining control of 105 Pinecrest Drive. MOTION PUT AND PASSED.**

### **12.4 Councillor Warshick - Information Item #5 - Lighting Victoria Street Interchange & Magazine Hill**

- This matter was added to the agenda during the approval of the Order of Business.

Councillor Warshick expressed complete dissatisfaction with the response from the Minister of Transportation regarding lighting on Magazine Hill and the new bridge entrance in Dartmouth. He went on to express concern with regard to the contents of the letter and in particular the portion which indicates the 'Department will continue to maintain and repair the existing system in order to ensure a minimum number of lights are available'. He pointed out that there is no lighting working at the entrance to the new bridge. Expressing even greater concern, Councillor Warshick referred to Paragraph 4 concerning the Magazine Hill in which the Minister states the Department 'is not considering upgrades to the existing lighting at this time as it conforms to our present standard'.

**MOVED by Councillor Warshick, seconded by Councillor Smith that the Mayor send a second letter to the Minister of Transportation outlining these two specific areas of concern.**

Councillor Smith addressed the matter and suggested that the letter should contain a request for, at the very least, a temporary fix to the lighting.

Deputy Mayor Blumenthal noted that he had also received calls with regard to the lighting and suggested that the Mayor copy his letter to the Premier.

Councillor Hetherington addressed the matter indicating that Nova Scotia Power Inc. (NSPI) had recently made a presentation to Community Council. He noted that this situation was discussed and that NSPI was willing to maintain these lights pending receipt of a work order from the Province.

**MOTION PUT AND PASSED.**

**12.5 Contract Negotiation - Mirror Contract Arrangements**

- This matter was added to the agenda from the In Camera meeting of Halifax Regional Council held earlier today.

**MOVED by Councillor Colwell, seconded by Councillor Sloane that consideration of this matter be deferred pending receipt of the full consultants report.**

A **Recorded Vote** was requested.

Members of Council voting **in favour**: Mayor Kelly and Councillors Streach, Hines, Colwell, Cooper, McInroy, Sloane, Walker, Whalen, Mosher, Adams, and Johns (12)

Members of Council voting **against**: Deputy Mayor Blumenthal and Councillors Warshick, Sarto, Hetherington, Smith, Cunningham, Uteck, Fougere, Goucher, Rankin and Meade (11)

**MOTION PUT AND PASSED. (12 In Favour, 11 Against)**

(Councillor Harvey was absent.)

**12.6 Street Closure and Sale of Land - Adjacent Esso Service Centre at 111 Kearney Lake Road**

- This matter was added to the agenda from the In Camera meeting of Halifax Regional Council held earlier today.

**MOVED by Councillor Whalen, seconded by Councillor Johns that:**

1. **Halifax Regional Council authorize staff to set a date of May 1, 2001, for a public hearing for consideration of HRM Administrative Order SC-25 concerning the closure of a portion of Kearney Lake Road, identified as the cross hatched area of Attachment "A" of the staff report dated March 19, 2001 and approve the sale of the portion of Kearney Lake Road, subject to approval of the street closure, to Imperial Oil Limited containing approximately 535 square feet (exact area to be determined by survey), at a price of \$4,000;**

2. the closure of Kearney Lake Road be subject to the closing of the Agreement of Purchase and Sale for conveyance of the parcel to Imperial Oil Limited; and
3. the March 19, 2001 report not be released to the public until, and if, the recommended transaction is finally concluded.

Councillor Johns indicated that he had a question for staff and as there was no staff present, **MOVED, seconded by Councillor Colwell that this matter be deferred to next week .**  
**MOTION PUT AND PASSED.**

**13. NOTICES OF MOTION**

**13.1 Notice of Motion - Councillor Adams - Amendment to By-T-108**

Councillor Adams gave Notice of Motion that at the next regular meeting of Halifax Regional Council to be held on Tuesday, April 10, 2001 he intends to introduce a motion to amend By-Law T-108 to include a provision that estimated fares (cash on the dash) be paid in advance upon request.

**13.2 Notice of Motion - Councillor Uteck - Amendment to By-Law S-100**

Councillor Uteck gave Notice of Motion that at the next regular meeting of Halifax Regional Council to be held on Tuesday, April 10, 2001 she intends to introduce for First Reading, an amendment By-Law S-100 to change the late payment charge.

**14. ADJOURNMENT**

The meeting adjourned at 9:30 p.m.

Vi Carmichael  
Municipal Clerk