

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL COMMITTEE OF THE WHOLE MINUTES MARCH 20, 2001

PRESENT: His Worship Mayor Peter J. Kelly
Councillors: Stephen Streach
Gary Hines
Keith Colwell
Ron Cooper
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Dawn M. Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Stephen D. Adams
Brad Johns
Robert Harvey
Len Goucher
Reg Rankin
Gary G. Meade

ABSENT: Deputy Mayor Blumenthal
Councillor McInroy

STAFF MEMBERS: Mr. Ken Meech, CAO
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Lynne Le Boutillier, Assistant Municipal Clerk

TABLE OF CONTENTS

1.0	Approval of Minutes	3
2.0	Approval of Order of Business and Approval of Additions and Deletions	3
3.0	Billboard Structures on HRM Property	3 - 6
4.0	Moving Forward: Management of C & D Materials	6 - 8
4.1	Halifax Harbour Solutions Project-Community Integration Fund Status Report ...	8
4.2	Councillors Orientation Workshop	8
4.3	Equalization Fund - Meeting Date	8
5.0	Adjournment	9

1.0 APPROVAL OF MINUTES

Councillor Meade indicated that he has been reported absent in the March 9, 2001 minutes. He had been present, but Councillor Rankin had been absent.

MOVED by Councillor Hetherington, seconded by Councillor Sloane that the minutes of February 6 & 13, March 5, 6, 7 & 8 be adopted as circulated and the March 9, 2001 minutes, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

2.0 APPROVAL OF ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

An addition re Halifax Harbour Solutions Project - Community Integration Fund Status Report (Item 11.3.3i) on the Regular Council Agenda was added to the agenda.

In addition, the following items were added to the agenda:

- C Councillor Harvey - Councillor Orientation Sessions - Rescheduling
- C Mayor Kelly - Equalization Fund - Meeting Date

MOVED by Councillor Hetherington, seconded by Councillor Sarto, that the Order of Business be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

3.0 BILLBOARD STRUCTURES ON HRM PROPERTY

- C A report prepared by Mr. Dan English, Deputy CAO, dated March 1, 2001, on the above noted, was before Council.
- C Business Partnership Proposal - Mediacom, dated March 20, 2001 (circulated at meeting)
- C Correspondence from Pattison dated March 15, 2001.

Mr. English, Deputy CAO, introduced this item, noting it had been tabled last week at Regional Council but deferred a week to give representatives from the industry an opportunity to make presentations to Council.

Mayor Kelly noted that there have been two requests to address the Committee, i.e. representatives from Mediacom and Pattison Outdoor.

Mr. Meech, CAO, reviewed the background of the subject noting there has been a fair amount of discussion and controversy regarding billboards in general in the HRM. As the billboard rental contracts with Mediacom for twenty-seven (27) billboard faces on Municipality owned property are to expire March 31, 2001, staff felt Regional Council may wish to consider not renewing all or some of these leases.

It was noted by Mr. Meech that with the tightening of the zoning regulations governing billboards, only three of the sixteen (16) billboards would qualify for permits, the rest are grandfathered.

During debate of the item, the following points were raised:

- C The report pertains to only billboards on HRM property. Billboards on private property will not be affected.
- C Concern was expressed on the affect not renewing these contracts will have on Mediacom.
- C The Municipality can't decide to simply ban billboards. Zoning regulations can be adopted that would preclude or control their placement, but existing billboards would be grandfathered.

Reference was made to page 6 of the Business Partnership Proposal by Mediacom which included the following:

- C Removal of selective sites that would reduce clutter significantly.
- C Make improvements to selective structures and sites using more current design and landscaping options.
- C Provision of Gateway signage promoting the City and the City's image.
- C Creating a National/Regional Tourism Promotion Program through the use of Mediacom products in the Maritimes and across Canada at no cost to the City.
- C A continued Revenue Sharing arrangement.

George Hallett, Local Sales Representative and **Blair Murdock**, Vice-President, Real Estate of Mediacom discussed with Council the following:

- C Mediacoms' history, commencing in the 1930s.
- C 15 to 20% of Mediacoms' total business in HRM is located between North Street and Cornwallis.
- C The devastating effect of losing their contract with HRM on Mediacom and their clients.
- C Billboards agreements have been in place since 1976 and bus shelters since 1983.
- C The recommendation from staff to not renew the contract is based on overcrowding and aesthetics. It was indicated that there has been a lot of over building by new competitors.

Mediacom would like to sit down with staff to discuss specifics of the initiatives listed above. Highlighted were the advantages for HRM, i.e. continued revenue stream, the gateway signage, promotion of local issues and tourism across the country.

During debate, questions were posed to Marcus Garnet, Planner regarding the concentration of billboards between Cogswell Street and North Street, i.e. under the current regulations, how many of the existing billboards, if not grandfathered, would be permitted. Of the billboards on HRM lands between North Street and Cogswell Street only one site would be permissible under the new regulations. He noted that if billboards were destroyed or removed which are grandfathered and were not replaced within six months, they lose the grandfathering right.

Mr. E. Bruce Richardson, Manager, Planning and Development, Pattison Outdoor noted that this company is relatively new to the area, having set up offices three years ago in Moncton and the HRM. Pattison Outdoor requested in their correspondence of March 15, 2000 that the Municipality delay their decision on billboard structures on HRM property to permit staff to request proposals to better determine market value and potential opportunities for HRM. Mr. Richardson drew Council's attention to the letter from the City of Moncton regarding their positive experience over the past eighteen (18) months with Pattison Outdoor, as a result of the partnership. He encouraged Council to consider alternative 1 in the staff report, delay decision. HRM could give a short extension to the existing contract(s) and meanwhile staff could request proposals to better determine market value and potential opportunities for HRM.

During the discussions which followed, Mr. Richardson was asked to provide Council with a list of instances where Pattison Outdoor have donated, free-of-charge, advertising to non-profit groups and what events they have sponsored.

Councillor Sloane noted that the majority of Mediacom billboards are located in District 12 and the residents are not in favour of these installations on HRM lands. She cautioned that continuing such contracts may interfere with future development on these lands, particularly in the event the Cogswell Interchange is removed.

Councillor Cunningham reflected on the negative experience Dartmouth has had with billboards, particularly on its waterfront, which obstruct the view of the Harbour.

MOVED by Councillor Cunningham, seconded by Councillor Sloane:

- 1. that the rental contract(s) for billboards on HRM property, which will expire March 31, 2001 not be renewed.**

- 2. that HRM allow the contractor(s) 30 days from the expiry date of March 31, 2001 to remove the structures.**

Councillor Cooper felt a municipal objective with respect to billboards needs to be established, which will result in a reduction in numbers and address all properties, including commercial.

A number of Councillors indicated they could not support the motion and would like to see the matter referred back to staff.

Regarding the subject of non-conforming use, Councillor Hetherington recalled that if 50% use is destroyed, it can not be rebuilt. Mr. Garnet will check into the Municipal Government Act provisions.

Councillor Hetherington agreed with the intent of the motion, but it does not address the tremendous number of private signs which present the biggest problem. He cautioned if the motion is defeated and an amendment made to refer it back to staff, time will have run out, as the lease is up at the end of the month. He felt the whole issue, without a vote on the motion, should be referred back to staff and the contract be extended. He questioned whether thirty (30) days would leave staff enough time to sit down with both parties. Mr. English stated from staff's perspective thirty (30) days would be ample, but to be fair to the companies, a longer time frame would be desirable.

Without a vote being taken on the motion on the floor, the following motion was placed.

MOVED by Councillor Hetherington, seconded by Councillor Sloane that the matter be referred back to staff and the contract with Mediacom be extended sixty (60) days.

Councillor Uteck reflecting on the discussions staff is to have with both parties, would like updates as the negotiations progress.

Councillor Fougere indicated she wished the discussions and report to include some consideration for the duration of those contracts where there may be development considerations, i.e. any changes, in the not too distant future, to the Cogswell Street Interchange. Look at clustering of the signs and site specific exclusions when they are looking at the locations for the billboards. Discussion with the company should include exploring provisions for landscaping and other contractual arrangements as part of the staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

4.0 MOVING FORWARD: MANAGEMENT OF C & D MATERIALS

- C A report prepared by Fred Wendt, Waste Resource Analyst, dated March 1, 2001, on the above noted, was before Council.
- C Supplementary report prepared by Fred Wendt, Waste Resource Analyst, dated March 14, 2001 was also before Council. Proposed by-law respecting licensing of construction and demolition materials recycling and disposal operations attached.

At the March 6, 2001 Council meeting it had been agreed that this item be deferred to March 20th.

Brian Smith, Director of Solid Waste Resources and Mr. Fred Wendt, Waste Resource Analyst were present to bring Council up to date on the issue. Essentially SWRAC wishes to speed up the process to meet the 2001 construction season, rather than having provisions take effect in the fall as the present time line would permit.

The report of March 1, 2001, recommended that Regional Council:

1. Amend the public process to implement the C & D waste management strategy by requiring staff to provide a draft C & D Licensing By-law to SWRAC for review and recommendation to Regional Council, within 30 days; and
2. Continue with the consultation and amendment process for Municipal Planning Strategies and Land Use By-laws to complete the implementation of a C & D Waste Management Strategy.

Mr. Wendt noted that it had been originally intended that the licensing and planning aspects be dealt with at the same time. It is now felt that the licensing aspect should be accelerated. He reviewed the highlights of the proposed by-law.

Councillor Walker indicated he could not support the recommendation. He felt both processes had to go hand-in-hand. He questioned if it would be possible to have a license without a site, for example. It was not possible, in Mr. Smith's opinion. Mr. Smith indicated that the whole intention of the process is to accommodate the existing three operations via a level playing field and allow for others to start such businesses. Councillor Walker was of the opinion that the present three operations might not meet the criteria to be set.

Mr. Pyle, Planner, Planning and Development Services, noted that under Section 3, License Requirements a development permit is required, therefore a site is needed.

Councillor Walker questioned whether the intention is to grandfather the existing three sites. Mr. Anstey noted that from a Land Use point of view, they may or may not be non-

conforming. Mr. Pyle noted that all three of the existing operations are permitted on the sites they are currently located on.

Councillor Adams indicated he could not support the recommendation to change the process. He noted that this initiative has a history of three years and when the time table was adopted last November, Council knew the process would take to July or August.

Mr. Barry Zwicker, Wallace, MacDonald and Lively addressed Council on behalf of RDM Recycling Limited. He referred to a memorandum dated November 15, 2000 and the need to maintain a relationship between the planning and licensing documents. He noted that the proposed Licensing By-law was only received last night. He contended that under this proposed by-law neither of the three existing operations could get licenses. He cautioned Council that they would not want to shut down the only three operations in existence. Mr. Zwicker further noted that the criteria in the by-law clearly overlaps provisions of the Department of Environment.

Reference was made to a recent advertisement in the paper respecting remaining meetings and the effect of changing the process at this time destroying any trust the public and industry has now, or in the future.

MOVED by Councillor Rankin, seconded by Councillor Sloane to refer the item to the Committee of the Whole meeting in two weeks. Only this item is to be on the agenda. MOTION PUT AND PASSED UNANIMOUSLY.

4.1 **HALIFAX HARBOUR SOLUTIONS PROJECT - COMMUNITY INTEGRATION FUND STATUS REPORT**

This item had been originally included as item 11.3.3 i) on the Regular Council Agenda.

- C Memo from Ken Meech, Chief Administrative Officer dated February 23, 2001 re tabling of the proposed Guidelines concerning the use of the Community Integration Fund.

Mr. Meech explained that the item would be more suitable for a Committee of the Whole session than at Council. The majority of Councillors supported this approach. Due to time constraints, the item was referred to an upcoming Committee of the Whole meeting, for a one item agenda.

4.2 **COUNCILLORS ORIENTATION WORKSHOP**

Councillor Harvey referred to this item being discussed at the Councillors' meeting today. Due to the budget meetings and meetings associated with the proposed Equalization Fund, it was suggested that this Workshop be postponed until May. No objection was expressed to this rescheduling.

4.3 EQUALIZATION FUND - MEETING DATE

Not dealt with.

5.0 ADJOURNMENT

Meeting adjourned at 2:45 p.m.

Lynne Le Boutillier
Assistant Municipal Clerk