

# **HALIFAX REGIONAL MUNICIPALITY**

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## **HALIFAX REGIONAL COUNCIL COMMITTEE OF THE WHOLE MINUTES September 25, 2001**

**PRESENT:**

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

**REGRETS:**

Councillor Condo Sarto

**STAFF MEMBERS:**

Mr. George McLellan, Acting Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Vi Carmichael, Municipal Clerk  
Ms. Patti Halliday, Assistant Municipal Clerk

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1. **CALL TO ORDER**

Mayor Kelly called the meeting to order at 1:00 p.m.

2. **APPROVAL OF MINUTES - SEPTEMBER 4, 2001**

**MOVED by Councillor Goucher, seconded by Deputy Mayor Blumenthal, that the minutes of September 4, 2001, be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Mayor Kelly noted there was a request to add the following item to the agenda:

5. Harbour Solutions Project - Update

Councillor Harvey requested that the following item, which was erroneously placed on the In Camera agenda, be brought forward to this agenda:

6. Council Tour Program

**MOVED by Deputy Mayor Blumenthal, seconded by Councillor Goucher, that the agenda be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

It was agreed deal with Item 5 Harbour Solutions Project - Update at this time.

5. **HARBOUR SOLUTIONS PROJECT - UPDATE**

Mr. Maurice Lloyd, Project Manager, Harbour Solutions Project, provided Council with an update regarding the Harbour Solutions Project with respect to the selection process, the environmental impact assessment and the status of the site acquisitions.

Responding to a question of Councillor Hetherington regarding the Dartmouth site, Mr. Lloyd stated it does not have to go through the Treasury Board and can be done locally as it is a purchase.

Mayor Kelly thanked Mr. Lloyd for his update and advised Council that similar update will be provided on a weekly basis as the project progresses.

It was agreed to deal with Item 6 - Council Tour Program at this time.

6. **COUNCIL TOUR PROGRAM**

Councillor Harvey reported the dates of October 4<sup>th</sup> (Western), October 11<sup>th</sup> (Eastern) and November 1<sup>st</sup> (Central) have been circulated as possible Council tour dates. The Councillor stated the committee is looking for direction from Council as to whether or not tours are on as a Council activity and, if they are, are these three dates possible. Councillor Harvey stated his concern is that staff generate quite a bit of time and energy in preparing itineraries and logistics for these tours, and he does not want them to expend any more time if the dates chosen do not materialize.

With respect to whether or not Council wanted to proceed with the idea of tours, it was the general consensus that they continue. In regards to the specific dates of October 4<sup>th</sup>, October 11<sup>th</sup> and November 1<sup>st</sup>, a lengthy discussion ensued. Councillor Mosher stated it was her understanding the October 4<sup>th</sup> tour may be cancelled as there were at least ten Councillors who could not attend. The Councillor suggested it may be more cost and time effective to utilize video tours instead of bus tours which the Councillors could watch at their convenience.

Councillor Cooper noted the Program and Service Review Committee and the Tax Structure Review Committee generally meet on Thursdays, and stated he would like to have the opportunity to discuss these dates with the Committees before the tour dates are finalized.

Councillor Warshick suggested the tour dates be moved to November as more members of Council may be available at that time. In response, Councillor Harvey suggested the two October dates be cancelled at this time and that Council only commit to November 1<sup>st</sup> for the Central area at this time. Approximately 14 members of Council indicated they would be available on November 1<sup>st</sup>. It was the general consensus to commit to the date of November 1<sup>st</sup> for the Central area and that the tours for the Eastern and Western areas be rescheduled for Thursdays in November.

**MOVED by Councillor Mosher, seconded by Councillor Johns, that the Council bus tours be cancelled and virtual tours be used in their place.**

Councillor Streach stated he would be in support of the motion as it is more economically feasible at this time of the year.

Speaking in support of the motion, Councillor Johns stated the virtual tours would be a efficient use of Councillors' time.

Councillor Whalen questioned whether or not Councillors would watch the videos and suggested a pilot video be prepared by Councillor Mosher to see if it is effective before implementing this idea.

Councillor Cooper stated a benefit of a virtual tour is that it would be a much more comprehensive review of each of the Districts.

Speaking in support of the motion, Councillor Adams also volunteered to participate in the pilot video.

Councillor Cunningham suggested the videos could be less than ten minutes in length and shown at the beginning of Council meetings to give an overview of the different Districts.

Speaking in support of the pilot video, Councillor Smith stated the videos could be watched at the Councillors convenience.

(Councillor Uteck took her place at the meeting at 1:30 p.m.)

Based on the discussion, Councillor Harvey stated it is his understanding that the bus tours are off until Council directs the Committee otherwise.

Mr. George McLellan, Acting Chief Administrative Officer, stated if the purpose of the tour is to increase familiarity then a video tape of problems in a district will not accomplish this and there is no replacement for a bus tour. Mr. McLellan stated if the purpose is to highlight the deficiencies of an area and to lobby Councillors, then he would have concern with respect to where staff's role would be in this to provide some alignment.

Councillor Warshick suggested another option would be for Councillors to have an open house at their home so Councillors could tour the area and see what issues exist.

The vote was then taken on the motion on the floor.

#### **MOTION PUT AND DEFEATED.**

Later in the meeting, it was clarified and confirmed that only the November 1<sup>st</sup> bus tour of the Central area will take place at this time and attempts will be made to reschedule the other two before the winter.

#### **4. PROJECT 00082 - CONSTRUCTION & DEMOLITION (C&D) WASTE MANAGEMENT STRATEGY FOR HRM: PROPOSED AMENDMENTS TO THE MPS AND LUBS**

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

Mr. Kurt Pyle, Planner, presented the report to the Committee which recommended that Council adopt in principle the amendments outlined in Attachments II and V of the report dated September 20, 2001.

Councillor Walker expressed concern with just receiving the staff report today, and suggested Councillors should be given more time to review the information before making a decision. The Councillor questioned if the draft time-line on Attachment VI of the staff report is realistic.

**MOVED by Councillor Walker, seconded by Councillor Goucher that this matter be deferred to allow Councillors the opportunity to review the staff report.**

Responding to a question of Councillor Adams regarding the proposed zones, Mr. Pyle stated a re-zoning would be required in certain areas. However, if the property is already zoned C-5, and C-5 is the proposed zone, it would not need a re-zoning. Councillor Adams inquired, if the zoning and site plan approval were required, when could a business reasonably expect to be able to process transfer and a disposal of C & D material in a conforming basis. Mr. Pyle responded the re-zoning process would take approximately six months and the site plan approval would take about two months. Councillor Adams expressed concern with the time it will take to get the disposal facilities up and running, noting the 2002 construction season will be missed. The Councillor questioned what will be done with the materials in the interim and asked that information regarding this be brought forward if the deferral passes.

Responding to a question of Councillor Uteck regarding the grand-fathering clause, Mr. Pyle stated it continues on with different property owners as long as the use has not stopped functioning on the property. Mr. Paul Dunphy, Director, Planning and Development Services, added the nature of non-conforming uses is that ownership can change as long as the activity continues and the operation does not cease for six months. Councillor Uteck asked that this be included in the report if the matter is deferred as she has concern that somewhere along the line someone will inherit a business and decide to change the use and they will lose. Mr. Dunphy stated staff will work with Legal Services on this issue.

Speaking in support of the deferral, Councillor Rankin asked that the report also include geographic text for all the districts so Councillors will know where these zones are located. The Councillor asked that staff also provide in the report what they were looking for in these zones, in the case of a disposal facility, and what is the commonality. Councillor Rankin noted that this proposal does not do anything to the existing operations that they have not been dealing with already. Responding to the Councillor's question regarding what is common to all the zones, Mr. Pyle stated there is a commonality to it which is described in detail in the staff report which he briefly reviewed. Councillor Rankin stated it is important for Council to be sensitive to the origin and rationale of these zones.

Speaking in support of the deferral, Councillor Goucher expressed concerns with the term “certain mixed use zones” in any MPS as it is loose and can imply different things. The Councillor suggested there are some terms in the document that need to be worked on, and they have to be very specific for each MPS as every one is different. In response, Mr. Pyle stated this is staff’s intent. Staff will be looking for direction from Council as to whether or not they are on the right track, and each plan will have to be tailored to meet the strategy.

Councillor Cooper spoke in support of the graphic information, stating it is paramount before any further steps are taken as it will give the residents a good idea of where this is going. The Councillor inquired if it can be prevented that C & D materials will not end up in salvage or junk yards. Mr. Pyle responded that it can not be completely stopped, but if they wish to operate as a C & D recycling operation as a main use, they would have to have a license. Councillor Cooper expressed concern that not much difference will be made in the existing operations. The Councillor stated the current C & D sites are paying no more attention to some of the requirements, as there are many materials in them that should not be there and no action is being taken. Councillor Cooper questioned how stringent HRM will be in the application of this by-law. The Councillor suggested the separation distances may have to be drastically increased or the municipality needs to get tougher with the operation of some of these facilities, especially when they are very close to residential areas.

(Councillor Sloane took her place at the meeting at 2:05 p.m.)

Responding to a question of Mayor Kelly regarding the deferral time frame, Mr. Pyle stated staff would need three weeks to provide the requested additional information, especially for the graphic information which needs to be generated.

Councillor Adams questioned the separation distance for a recycling operation from the nearest residential dwelling/community facility use being 90 metres, stating he did not recall this being in the original by-law. He asked that this be clarified in the supplementary report. With regard to proposed zones, Councillor Adams stated he would like to see a new zone created as CD-1 as an option, as it is specific and allows the same number of uses throughout any particular community.

Councillor Walker requested that the supplementary report be provided to Council on the Friday preceding the meeting when it will be before Council, and not circulated at the meeting.

It was noted that there is no Council meeting on October 16<sup>th</sup>, so it was agreed to defer the matter until October 23<sup>rd</sup>.

With respect to Councillor Adams' suggestion regarding one zone, Councillor Rankin stated it is his understanding that C & D applications would be one of many uses and suggested the implications need to be examined.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**7. ADJOURNMENT**

As there was no further business, the meeting adjourned at 2:15 p.m.

Vi Carmichael  
Municipal Clerk