

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES November 12, 2002

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Harry McInroy
Councillors: Stephen Streach
Gary Hines
Keith Colwell
Ron Cooper
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 D. Adams
Brad Johns
Robert P. Harvey
Len Goucher
Reg Rankin
Gary Meade

STAFF MEMBERS:

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

Table of Contents

1.	INVOCATION	5
	RECOGNITIONS	5
	MOMENT OF SILENCE	5
2.	APPROVAL OF MINUTES - October 22 & 29, 2002	5
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	6
4.	BUSINESS ARISING OUT OF THE MINUTES	6
5.	SELECTION OF DEPUTY MAYOR	6
6.	MOTIONS OF RECONSIDERATION - NONE	9
7.	MOTIONS OF RESCISSION - NONE	9
8.	CONSIDERATION OF DEFERRED BUSINESS	9
	8.1 (i) Motion of Councillor Streach	9
	(ii) Toll Free Local Area Service	9
9.	PUBLIC HEARINGS	10
	9.1 Sale at Less than Market Value - 5557 Cunard Street, Halifax	10
	9.2 Sale at Less than Market Value - 385 Cow Bay Road, Eastern Passage	10
10.	CORRESPONDENCE, PETITIONS & DELEGATIONS	10
	10.1 Correspondence - None	10
	10.2 Petitions	10
	10.2.1 Councillor Hines - Proposed Changes to Provincial Electoral Boundaries - Fall River/Waverley/Lakeview Areas	10
	10.2.2 Councillor Hines - Overhead Crossing Lights, Dutch Settlement Elementary School	11
	10.2.3 Councillor Rankin - Proposed Recreational Facility Expansion, St. Margaret's Centre	11
	10.2.4 Councillor Harvey - Water Problems - Old Sackville Road	12
	10.2.5 Councillor Warshick - Sidewalk Request, Waverley Road	12
11.	REPORTS	12
	11.1 SOLID WASTE RESOURCE ADVISORY COMMITTEE	12

11.1.1	Application - Metro Construction Debris Ltd. for CD-3 Zone . . .	12
11.2	GRANTS COMMITTEE	13
11.2.1	Regional Trails Advisory Committee Request for Funding Increase	13
11.3	CHIEF ADMINISTRATIVE OFFICER	14
11.3.1	Quotation #Q02C358, Janitorial Services for Acadia School . . .	14
11.3.2	Tender 02-110, Eastern Passage Digester Cover Replacement	14
11.3.3	Urban Forest Pest Management Protocol	15
11.4	MEMBERS OF COUNCIL	15
11.4.1	Councillor Streach - Request for further information regarding the Kyoto Protocol	15
11.4.2	Councillor Blumenthal - Concerns re: Media Location Descriptions	16
11.4.3	Councillor Warshick - Juno Beach Day Resolution	16
11.4.4	Councillor Mosher - District 18 Business and Development Association	17
11.4.5	Councillor Cooper	18
	(i) Community Profile Development	18
	(ii) Protection of Community Characteristics	18
	(iii) Safety Concerns re: Public Firing Ranges	19
12.	MOTIONS	19
12.1	Councillor Goucher	19
13.	ADDED ITEMS	19
13.1	Councillor Goucher - Halifax International Airport: concerns relative to the new Federal Airport Act	19
13.2	Councillor Mosher - Request for staff report re: Fairmount Ridge Development Road Cut	20
13.3	Membership Selection Committee - Board and Committee Recommendations	20
13.4	Residential On-street Parking Policy - By-law P-1000	21
13.5	QEII Staff Parking Shortage	22
13.6	Property Acquisition 982/990 Barrington Street, Harbour Solutions - Pier A Pumping Station	23
13.7	Property Matter - Transfer of Buy Back Agreement for Lot 204AX, Brownlow Avenue, Burnside	24
13.8	Legal Matter - Settlement of Claim	24
13.9	Legal Matter - Settlement of Claim	24
14.	NOTICES OF MOTION	25

14.1 Councillor Uteck - First Reading, By-Law P-1000 - Respecting On-Street Parking Exemptions and Permits	25
15. ADJOURNMENT	25

1. INVOCATION

Mayor Kelly called the meeting to order at 6:00 p.m. with the Invocation being led by Councillor Rankin.

RECOGNITIONS

Councillor Hetherington congratulated Councillor Condo Sarto on receiving the Queen's Golden Jubilee Medal in recognition of his various contributions to his community. In response, Councillor Sarto extended thanks to members of Council for their expressions of congratulations.

Councillors Hines and Streach recognized residents of their Districts who also received this honour.

MOMENT OF SILENCE

A **Moment of Silence** was observed in memory of Mr. Archie Fraser, resident of Portugese Cove, who recently passed away. Councillor Adams requested that staff identify something appropriate in the community that would reflect the late Mr. Fraser's dedication to his community.

2. APPROVAL OF MINUTES - October 22 & 29, 2002

MOVED by Councillor Blumenthal, seconded by Councillor Sloane, that the minutes of October 22 & 29, 2002 be approved, as circulated.

Councillor Fougere noted the following correction to the minutes of October 29, 2002:

Page 11 - Under Item 11.1, the phrase "Councillor Mosher requested that the report address" should read "Councillor Fougere requested that the report address."

Councillor Mosher requested the following correction to the minutes of October 29, 2002:

Pages 8 & 9 - Under Item 9.2.1, it was requested that the minutes be amended to reflect the rationale for Council's decision.

MOVED by Councillor Blumenthal, seconded by Councillor Sloane, that the minutes of October 22, 2002, be approved, as circulated, and the minutes of October 29, 2002, be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were added to the agenda:

- 13.1 Councillor Goucher - Halifax International Airport: concerns relative to the new Federal Airport Act
- 13.2 Councillor Mosher - Request for staff report re: Fairmount Ridge Development Road Cut
- 13.3 Membership Selection Committee - Board and Committee Recommendations
- 13.4 Residential On-street Parking Policy - By-law P-1000
- 13.5 QEII Staff Parking Shortage
- 13.6 Property Acquisition 982/990 Barrington Street, Harbour Solutions - Pier A Pumping Station
- 13.7 Property Matter - Transfer of Buy Back Agreement for Lot 204AX, Brownlow Avenue, Burnside
- 13.8 Legal Matter - Settlement of Claim
- 13.9 Legal Matter - Settlement of Claim

The following Information Item was added to the Information Items Agenda:

- 7. Status of By-law Violations

Councillor Sloane requested that Information Item #5 - Memorandum from Director, Financial Services, dated November 12, 2002 re: Pollution Control Charges be added to the November 19, 2002 Council agenda.

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the Order of Business, Additions and Deletions, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES

5. SELECTION OF DEPUTY MAYOR

Mayor Kelly thanked Deputy Mayor Harvey for his service over the past year in the position of Deputy Mayor. In response, Deputy Mayor Harvey stated it has been a privilege to work with Mayor Kelly in this capacity over the last year, and he also expressed thanks to the staff of the Mayor's Office and the Councillor's Support Office during his term as Deputy Mayor.

Mayor Kelly then opened the floor for nominations for the position of Deputy Mayor.

MOVED by Councillor Streach, seconded by Councillor Hetherington, that Councillor Fougere be nominated for the position of Deputy Mayor.

MOVED by Councillor Hines, seconded by Councillor Cunningham, that Councillor McInroy be nominated for the position of Deputy Mayor.

Mayor Kelly called three times for any further nominations. Hearing none, the following motion was put on the floor:

MOVED by Councillor Blumenthal, seconded by Councillor Goucher, that nominations cease. MOTION PUT AND PASSED UNANIMOUSLY.

Following a brief address by both nominees, the vote was cast.

Following the Public Hearings, **Councillor McInroy was declared to be the Deputy Mayor for 2002-2003.**

MOVED by Councillor Blumenthal, seconded by Councillor Hetherington, that the ballots be destroyed. MOTION PUT AND PASSED UNANIMOUSLY.

Deputy Mayor McInroy expressed thanks to Council for its support.

At this time, Council agreed to deal with Item 9 - Public Hearings.

9. PUBLIC HEARINGS

9.1 Sale at Less than Market Value - 5557 Cunard Street, Halifax

C A declassified private and confidential report from Mr. Jim Hobin, Chair, HRM Grants Committee, regarding the above, was before Council for its consideration.

Ms. Peta-Jane Temple, Coordinator, Grant Program, Financial Services, presented the Committee report to Council and responded to questions of clarification of Council.

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

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Sloane, seconded by Councillor Blumenthal, that Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby the property located at 5557 Cunard Street, Halifax, be conveyed to Cunard Street Children's Centre for the sum of \$150,000 plus cost of sale expenses estimated to be \$3,000 subject to a Site Survey and Legal Description and the terms and conditions as set out in the Discussion section of the Grant Committee report dated August 1, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 Sale at Less than Market Value - 385 Cow Bay Road, Eastern Passage

C A declassified private and confidential report from Mr. Jim Hobin, Chair, HRM Grants Committee, regarding the above, was before Council for its consideration.

Ms. Peta-Jane Temple, Coordinator, Grant Program, Financial Services, presented the Committee report to Council.

Mayor Kelly called for members of the public wishing to speak either in favour of or against the sale.

Mr. Reg Short

Mr. Reg Short spoke on behalf of the Eastern Passage United Baptist Church in support of the sale. For the benefit of Council, Mr. Short highlighted some of the work done by the Church.

Mayor Kelly called three times for any further members of the public wishing to speak either in favour of or against the sale. Hearing none, the following motion was put on the floor:

MOVED by Councillor Hetherington, seconded by Councillor Sloane, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Deputy Mayor McInroy, seconded by Councillor Sloane, that Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby the property located at 385 Cow Bay Road, Eastern Passage, be conveyed to the Home Mission Board of the United Baptist Church Convention of the Atlantic Provinces and the Eastern Passage United Baptist Church for the sum of \$43,560 plus cost of sale expenses estimated to be \$3,500 subject to the terms and conditions set out in the discussion section of the Grant Committee report dated August 28, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

6. **MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS**

Mr. McLellan suggested the following two items be dealt with at the same time. Council agreed.

8.1 (i) **Motion of Councillor Streach**

“To request, through the Canadian Radio & Telecommunications Commission (CRTC) that Aliant Telecom (MTT) designate all that area within the physical boundaries of the Halifax Regional Municipality a single local dialling zone, eliminating the requirement for long distance dialling from within Halifax Regional Municipality to other points within our boundaries.”

(ii) **Toll Free Local Area Service**

C An Information Report prepared for Chuck Keith, Director, Information Services, regarding the above, dated November 12, 2002, was before Council for its information.

MOVED by Councillor Streach, seconded by Councillor Blumenthal, that Regional Council request, through the Canadian Radio & Telecommunications Commission (CRTC) that Aliant Telecom (MTT) designate all that area within the physical boundaries of the Halifax Regional Municipality a single local dialling zone, eliminating the requirement for long distance dialling from within Halifax Regional Municipality to other points within our boundaries.

Ms. Geri Kaiser, Director, Shared Services, stated staff will make formal notification to Aliant Telecom who will perform an economic study to determine the incremental costs associated with expanding the service to a toll free zone. The information from the study will be provided to HRM and verification will also be given as to the number of customers they are serving, the revenue generated as a result of that service, and the amount of compensation they would be eligible to receive. Ms. Kaiser stated this information would come back to Council for a decision as to whether or not it wanted to move forward with the application to the CRTC.

Councillor Streach thanked staff for their action on this matter. Mr. McLellan suggested that this matter be tabled until Aliant comes back with the economic results. Councillor Streach agreed.

MOVED by Councillor Streach, seconded by Councillor Blumenthal, that both items be tabled pending completion of the economic study by Aliant Telecom and a final report from staff.

Responding to a question of Councillor Streach, Mayor Kelly stated once the staff report is received, the item will be put back on the table for Council's direction. In response to a question of Mr. McLellan, Ms. Kaiser stated that Aliant has indicated to HRM, based on the letter HRM sent them, that they are moving ahead with the economic review and expect to be back to HRM within the next two to three weeks.

Based on this, it was agreed to defer the items rather than table them at this time.

MOVED by Councillor Streach, seconded by Councillor Blumenthal, that both items be deferred pending completion of the economic study by Aliant Telecom and a final report from staff. MOTION PUT AND PASSED UNANIMOUSLY.

9. PUBLIC HEARINGS

9.1 Sale at Less than Market Value - 5557 Cunard Street, Halifax

This item was addressed earlier in the meeting.

9.2 Sale at Less than Market Value - 385 Cow Bay Road, Eastern Passage

This item was addressed earlier in the meeting.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions

10.2.1 Councillor Hines - Proposed Changes to Provincial Electoral Boundaries - Fall River/Waverley/Lakeview Areas

Councillor Hines served a petition from residents requesting that from No. 2 Lakeview Road to No. 46 Lakeview Road, on both sides, be included in the Waverley/Fall River Riding and not in Sackville's Riding. The Councillor requested that a letter of support of the resident's request be provided to the community when they make their presentation to the Nova Scotia Utility and Review Board.

10.2.2 Councillor Hines - Overhead Crossing Lights, Dutch Settlement Elementary School

Councillor Hines served a petition from residents requesting that an overhead crossing light be installed at the Dutch Settlement Elementary School crosswalk. The Councillor noted that he has already proceeded work on this request and submitted the petition in support of it.

10.2.3 Councillor Rankin - Proposed Recreational Facility Expansion, St. Margaret's Centre

Councillor Rankin served a petition from residents in support of a proposed recreational facility expansion, St. Margaret's Centre. The Councillor noted the community has raised approximately \$1 million towards this project, however there is a shortfall of \$1.5 million, and, to date, the Province has not indicated support of this project. Councillor Rankin requested that a letter of support be sent to the Province urging them to advance this project and have it considered for one of its partnering programs.

MOVED by Councillor Rankin, seconded by Councillor Meade, that Council send a letter of support to the Province urging them to advance this project and have it considered for one of its partnering programs.

Councillor Warshick expressed concern that this project may be placed ahead of other projects already endorsed by Council for the infrastructure program. In response, Councillor Rankin clarified he was not alluding to any particular program, rather he was just stating that it deserves consideration by the Province for a contribution that is commensurate with what HRM has put forward.

Responding to a question of Councillor Hetherington, Mr. George McLellan, Chief Administrative Officer, stated all applications for the infrastructure program have to be signed by HRM. He noted that he believes this particular project is on the infrastructure list.

Councillor Rankin reiterated he was not specifically referring to the infrastructure program, noting there are other stand-alone programs. The Councillor stated the intent of the motion is to appeal to the Province not to evade its responsibility for some level of support for this project.

Councillor Hetherington noted there is one other program, which can provide funding up to three years, and there are a number of organizations in HRM that have already submitted applications that were not endorsed by Council, rather they were forwarded directly to the Province.

MOTION PUT AND PASSED UNANIMOUSLY.

At a later point in the meeting, Mr. McLellan confirmed that the infrastructure list submitted by HRM identifies an ice surface for St. Margaret's Bay as Item #25.

10.2.4 Councillor Harvey - Water Problems - Old Sackville Road

Councillor Harvey served a petition from residents requesting the placement of curb and gutter on Old Sackville Road from the beginning of Madeline Drive: House 449 to Ridge Avenue #491. The Councillor requested that the petition be forwarded to Public Works and Transportation Services.

10.2.5 Councillor Warshick - Sidewalk Request, Waverley Road

Councillor Warshick served a petition from residents requesting that HRM install sidewalks from the vicinity of Civic #808 (Lake Charles Drive) to Civic #2389 (Village of Waverley). The Councillor requested that this be taken into consideration in next year's budget.

11. REPORTS

11.1 SOLID WASTE RESOURCE ADVISORY COMMITTEE

11.1.1 Application - Metro Construction Debris Ltd. for CD-3 Zone

C A report from Councillor Reg Rankin, Chair, Solid Waste Resource Advisory Committee, regarding the above, was before Council for its consideration.

Mr. Jim Bauld, Diversion Planning Coordinator, Solid Waste Resources, presented the Committee's report to Council.

MOVED by Councillor Rankin, seconded by Councillor Sloane, that Metro Construction Debris Ltd. be notified that a completed application containing sufficient information to evaluate the company's request to apply for a CD-3 (C&D Disposal) Zone on its property in Lakeview Drive, Dartmouth, be submitted no later than 4:30 p.m., Thursday, January 9, 2003.

Councillor Walker suggested the application should be turned down at this time and if they are interested, they can reapply and start the process over again.

Responding to questions of Councillor Smith, Mr. Bauld stated no more applications can be received as part of the plan amendment process as the deadline was in April 2002. If the application is turned down now, they can apply to the Community Council for a re-zoning.

In response to a question of Councillor Hetherington, Mr. Pyle stated that he advised Metro Construction Debris Ltd. today that HRM is still waiting for a completed application, however, no deadline date was mentioned.

Councillor Goucher stated Council needs to allow the MPS to do its work as it was written and providing any further extension is not acting in the best interest of the people in the area.

Councillor Rankin noted a deadline for a response was not previously given to Metro Construction and this motion will provide an appropriate deadline.

MOTION PUT AND PASSED.

11.2 GRANTS COMMITTEE

11.2.1 Regional Trails Advisory Committee Request for Funding Increase

C A report from Mr. Jim Hobin, Chair, HRM Grants Committee, regarding the above, was before Council for its consideration.

Ms. Peta-Jane Temple, Coordinator, Grant Program, Financial Services, presented the Committee report to Council and responded to questions of Council.

MOVED by Councillor Cunningham, seconded by Councillor Walker, that Regional Council:

- 1. Decline a budget increase in the amount of \$75,000 for the HRM Community Grants Program in fiscal year 2003-2004.**
- 2. Refer the issue of sustainable funding for the Regional Trails System to HRM Parks & Recreation for further consideration.**

Mr. McLellan stated he hopes the staff report will clarify issues such as who maintains the trails, who undertakes the liabilities, who has the on-going cost of maintenance, etc., which is not yet clear. Councillor Uteck also stated she would like to have the maintenance of trails issue addressed in the staff report as well as consideration of a regional trails reserve account.

Councillor Fougere requested that a report on the implications of the trails system in general on Parks and Recreation be brought back to Council after Parks and Recreation have discussed the issue with the Regional Trails Advisory Team.

Mr. McLellan stated this issue will be forwarded to Parks and Recreation and will come back to Council before budget deliberations.

Councillor Hines suggested motorized usage of trails should also be included in the discussion of this issue.

MOTION PUT AND PASSED UNANIMOUSLY.

RECESS

A recess was taken at 8:00 p.m. The meeting reconvened at 8:15 p.m.

11.3 CHIEF ADMINISTRATIVE OFFICER

11.3.1 Quotation #Q02C358, Janitorial Services for Acadia School

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

Mr. Peter Ross, Manager, Procurement, responded to questions of Council.

MOVED by Councillor Harvey, seconded by Councillor Johns, that Council authorize the award of Quotation # Q02C358 for Janitorial Services for the above location to D & J's Cleaning Services Ltd. for a three (3) year period at a total cost of \$120,714.24 (tax included), beginning December 1, 2002, with funding outlined in the Budget Implications section of the staff report dated November 5, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

11.3.2 Tender 02-110, Eastern Passage Digester Cover Replacement

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 McInroy, seconded by Councillor Hetherington, that Council:

- 1. Increase the 2002/03 Capital Budget in the amount of \$361,600 for a new capital project, Eastern Passage Digester Cover, to be funding by a withdrawal from the Wastewater Treatment Reserve, Q122.**
- 2. Award Tender #02-110 for the supply, fabrication and installation of the Eastern Passage WPCP Digester Cover to Black and McDonald at the submitted price \$329,749.56 plus net HST for a total of \$350,952.45.**

3. **Approve the expenditure of \$10,000 plus net HST for a total of \$10,643 for engineering inspection and construction services provided by Dillon Consultants.**

Mr. Alan Brady, Manager, Wastewater Treatment, responded to questions of Council.

MOTION PUT AND PASSED.

11.3.3 Urban Forest Pest Management Protocol

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

MOVED by Councillor Hines, seconded by Councillor Uteck, that Halifax Regional Council endorse the “Urban Forest Pest Management Protocol,” as attached to the staff report dated October 30, 2002, to use as a guideline for managing serious pest threats to our urban forest and park areas. MOTION PUT AND PASSED UNANIMOUSLY.

11.4 MEMBERS OF COUNCIL

11.4.1 Councillor Streach - Request for further information regarding the Kyoto Protocol

Councillor Streach stated that Council, in previously adopting a motion to encourage the federal government to ratify the Kyoto Protocol, acted without a staff report or rationalization. The Councillor stated that recent events have led to the need to ask for further information.

MOVED by Councillor Streach, seconded by Councillor Hetherington, that Council request a staff report, in a timely fashion, identifying the implications to HRM of the passing of the Kyoto Protocol.

Several Councillors spoke against the motion stating it was a federal matter and Council should not be getting involved. It was also noted that further information on the Kyoto Protocol is available from many sources for those who wish to have it.

Following a brief debate on the motion, the vote was taken on the motion.

MOTION DEFEATED.

11.4.2 Councillor Blumenthal - Concerns re: Media Location Descriptions

Councillor Blumenthal stated residents have expressed concerns to him with regard to media location descriptions and the general use of the term "North End" for various locations. The Councillor requested that the Mayor write a letter, on behalf of the residents, to the media asking that they reference street names rather than areas when referring to news events.

In response, Councillor Sloane provided some historical background as to the reference of "North End" to describe various areas. The Councillor suggested the media should put more focus on good events that happen in the area rather than focussing on the bad.

Following a brief discussion, Mayor Kelly noted that members of the media present have been made aware of the concerns and the matter should be left at that.

11.4.3 Councillor Warshick - Juno Beach Day Resolution

MOVED by Councillor Warshick, seconded by Councillor Sloane, that:

WHEREAS the Juno Beach Centre project was developed by a group of World War II veterans who participated on the D-Day landings on June 6, 1944 and the subsequent battles in Normandy and through Western Europe; and

WHEREAS the Juno Beach Centre at Courseulles-sur-Mer in Normandy will provide recognition of Canada's military and civilian contributions during the Second World War and it will preserve for future generations the knowledge of the contributions of that generation of Canadians and honour the gifts of valour and freedom that were given by all Canadians who participated; and

WHEREAS the Minister of Canadian Heritage has designated the Juno Beach landing site to be a site of National Historic Significance to Canada;

THEREFORE BE IT RESOLVED that Council of the Halifax Regional Municipality send a request to the Government of Canada and to the Federation of Canadian Municipalities to declare June 6, 2003 to be a National Holiday commemorating the opening of this historic site.

During discussion of the motion, the following points were made:

- C This resolution was recently before UNSM and was soundly rejected.
- C Council should pursue having Remembrance Day designated a national holiday as it is currently only officially recognized by Nova Scotia, rather than designating a holiday for this one battle.

Closing the debate, Councillor Warshick clarified that this is a one time holiday request for 2003 and not an annual holiday. The Councillor also noted a resolution was already passed by Council regarding making November 11th a national holiday and it is currently before FCM.

MOTION DEFEATED.

11.4.4 Councillor Mosher - District 18 Business and Development Association

C Correspondence from the District 18 Business and Development Association, dated November 1, 2002, to Councillor Linda Mosher, was before Council for its consideration.

MOVED by Councillor Mosher, seconded by Councillor Adams, that the request from the District 18 Business and Development Association for HRM Planning to include monies in the 2003/2004 Capital Budget to conduct a street scape design study of Herring Cove Road, be referred to the budgetary process.

Councillor Mosher noted this issue has been on-going for the past two years. In response, Mr. McLellan indicated an information report can be provided to explain how this matter has been addressed to date.

Councillor Hetherington suggested this matter should also be referred to Ms. Carol Macomber, Capital District, for an explanation as to why this would not fall within the boundaries of the Capital District.

Councillor Sloane stated this is a main street program and should be referred to Regional Planning.

MOTION PUT AND PASSED.

11.4.5 Councillor Cooper

(i) Community Profile Development

MOVED by Councillor Cooper, seconded by Councillor Sloane that staff prepare community profiles for members of Council.

Mr. McLellan suggested that Council wait to develop these community profiles until after January 2003, at which time the next level of census data will be available. Councillor Cooper expressed concern that the release schedule of this data extends into the middle of next year. The Councillor suggested that current available data be used to develop these profiles which can be updated as new data becomes available. Mr. McLellan noted

the development of these profiles will require a lot of work by a number of staff and the preference would be to do it once correctly. He asked Council to consider the amount of work that would be required in order to develop these community profiles at the same time other objectives are being accomplished.

Councillor Harvey noted the libraries have profiles of the communities they serve and perhaps they could provide some of the information.

There was no vote taken on the motion. It was agreed that the profiles will be developed following receipt of the updated census data.

(ii) Protection of Community Characteristics

Councillor Cooper noted that when the MPSs were being developed in the areas outside the main core, there were characteristics of community neighbourhoods that were designed by the community as a whole. The Councillor stated it has come to his attention that a change to the subdivision by-law can affect the community characteristic in the Cole Harbour area in that it permits flag lots in an area that was strictly designed for large lot subdivisions.

MOVED by Councillor Cooper, seconded by Councillor Goucher, that this matter be referred to staff for a report that would provide protection to water service areas in the suburbs of the municipality to preserve their community characteristics. MOTION PUT AND PASSED UNANIMOUSLY.

(iii) Safety Concerns re: Public Firing Ranges

Councillor Cooper referenced correspondence from Dr. William G. Hynes expressing safety concerns with respect to public firing ranges.

MOVED by Councillor Cooper, seconded by Councillor Mosher, that the correspondence be referred to the Department of Natural Resources requesting that a response to the expressed concerns be provided to Regional Council. MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS

12.1 Councillor Goucher

“ To introduce an amendment to Administrative Order 1 to clarify the ambiguity in Section 49 and Section 52 of that Administrative Order respecting the motion to “call for the question”.

MOVED by Councillor Goucher, seconded by Councillor Sloane, that:

BE IT RESOLVED THAT Administrative Order No. 1, the Procedure of Council Administrative Order be amended by deleting from subsection (3) of Section 49 thereof the punctuation and words “, but a motion to call for the question shall not be put until after every member who has not spoken on the question and claims a right to speak has been heard.

In discussion of the motion, Councillor Smith stated he believes everyone who has not yet spoken on an issue, should be permitted to do so.

Councillor Cooper stated he did not believe there is a conflict in either Sections 49 and 52 as Section 52 only further clarifies what happens if there is a motion to call for the question.

MOTION PUT AND PASSED.

13. ADDED ITEMS

13.1 Councillor Goucher - Halifax International Airport: concerns relative to the new Federal Airport Act

Councillor Goucher requested that this item be deferred for one week, pending receipt of further information. Council agreed to the request.

13.2 Councillor Mosher - Request for staff report re: Fairmount Ridge Development Road Cut

Councillor Mosher requested an Information Report from Planning and Development Services and the Traffic Authority, which she can provide to the residents, regarding a recent cut from the new Fairmount Ridge Subdivision to Northwest Arm Drive. The Councillor stated the area was to be constructed to allow for a 16 inch watermain, and the cut is now wide enough to be a road. Councillor Mosher advised there is a great deal of concern from residents regarding the size of the cut, particularly with respect to a motion passed by Council on January 14, 1988 which denied a request for the construction of a roadway between Milsom Avenue and Northwest Arm Drive. The motion further required that area residents were to be advised before any future item, pertaining to additional development in the Fairmount Subdivision that would affect the connector, came before Council or as soon as an application for a development permit was received.

MOVED by Councillor Mosher, seconded by Councillor Walker, that this matter be referred to staff for an information report.

With the use of photographs, Councillor Mosher illustrated the cut in question. Reading from prepared text, which she submitted for the record, the Councillor raised several questions that she would like addressed by staff in the report.

Mr. McLellan suggested that, in the interest of expediency, the contractor and staff deal directly with the Councillor and the residents with respect to this issue. Councillor Mosher stated she would like to have something in writing as well as she has a package of information that she would provide to the residents. In response, Mr. McLellan stated staff would be pleased to prepare such a report, but suggested a report to all of Council would be more logical if staff and the contractor were not able to satisfy the Councillor and the residents. Councillor Mosher indicated that she was in agreement with Mr. McLellan.

Councillor Hines provided some verbal information as to safety reasons why the cut would be so large.

MOTION PUT AND PASSED.

13.3 Membership Selection Committee - Board and Committee Recommendations

MOVED by Councillor Walker, seconded by Councillor Sarto, that Council confirm the following nominations from the six (6) Community Councils to Membership Selection Committee:

One representative from each of the six Community Councils

Committee Recommendation:

Chebucto Community Council	<u>Councillor Walker</u> (to Nov. 2004)
Harbour East Community Council	<u>Councillor Hetherington</u> (to Nov. 2004)
Western Region Community Council	<u>Councillor Rankin</u> (to Nov. 2004)
Marine Drive, Valley & Canal Community Council	<u>Councillor Streach</u> (to Nov. 2004)
North West Community Council	<u>Councillor Johns</u> (to Nov. 2004)
Peninsula Community Council	<u>Councillor Blumenthal</u> (to Nov. 2004)

Councillor Smith noted the former Membership Selection Committee has not yet been dissolved and should remain in place until the end of November 2002, and put forth the following motion:

MOVED by Councillor Smith, seconded by Councillor Uteck, that this matter be deferred.

After a brief debate, the vote was taken on the deferral.

MOTION DEFEATED.

The vote was then taken on the Main Motion.

MOTION PUT AND PASSED.

13.4 Residential On-street Parking Policy - By-law P-1000

C This item was discussed during a Committee of the Whole Session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillor Fougere, seconded by Councillor Uteck, that Council approve, in principle, the Residential On-Street Parking Policy as outlined in the staff report dated October 22, 2002.

Councillor Whalen expressed concern that this policy will allow the residents of any street that feels pressure with parking to, as a group, vote on solutions which really are parking restrictions. The Councillor stated she does not understand how this policy will free up parking spaces as some will also be displaced.

Councillor Mosher stated she does not agree with non-local residents having to pay for parking permits at fair market value when residents living on the street only have to pay a small annual fee. The Councillor also expressed concern that this is another form of traffic calming, and it can escalate to the point where there will be no parking anywhere except for the people who live on the street.

Councillor Sloane stated this policy will provide a balance for all those who require parking.

(At this time, Mayor Kelly left the meeting and Deputy Mayor McInroy assumed the Chair.)

Councillor Blumenthal stated until there is a regional outlook on transportation, this is a piecemeal approach and it will not provide a balance for all of the municipality.

Councillor Fougere stated this policy is intended to be implemented only where increasing off-street parking supply to meet demand is not feasible, which is primarily on residential streets. The Councillor noted the parking permit option is the only new option being implemented.

MOTION PUT AND PASSED.

13.5 QEII Staff Parking Shortage

- C This item was discussed during a Committee of the Whole Session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillor Rankin, seconded by Councillor Uteck, that Regional Council approve:

- A) **Removal of parking meters on the Summer Street, Spring Garden Road, and Sackville Street sides of the Public Gardens. These meters are not well utilized during the winter and early spring months. They would be replaced when the gardens re-open in the spring, or replaced in stages as demand increases into the summer. This would free 105 existing spaces for all-day parking.**
- B) **Creation of 20 new parking spaces on the west side of Ahern Avenue between the Community College and Bell Road. Parking in this location would have some minor negative impact on traffic flow and would be removed once the QEII parkade opens.**
- C) **Creation of 25 new spaces on Cogswell Street alongside the Commons. Parking in this location would have some minor negative impact on traffic flow and would be removed once the QEII parkade opens.**
- D) **For HRM to work with the Province to liaise with Metro Transit in order to provide direct transit from a central location.**

Councillor Blumenthal stated this will cost HRM approximately \$60,000 and he cannot support it. The Councillor suggested the hospital employees should be required to purchase permits to park on the streets, or the Province should compensate HRM for the \$60,000 loss in revenue.

Councillor Cooper suggested Item (d) in the recommendation should be amended to indicate that HRM will liaise with Metro Transit, not the Province.

Councillor Rankin stated this does not resolve the complete parking need, but it will alleviate the problems of finding parking within close proximity of the hospital. With respect to Item (d), the Councillor stated it was intended that the Province would provide some assistance to Metro Transit in providing "park and ride" locations.

Councillor Sloane agreed Item (d) should be reworded and put forth the following amendment:

MOVED by Councillor Sloane, seconded by Councillor Blumenthal, that Item (d) be reworded as follows:

- (D) For HRM to encourage the QEII Hospital to sponsor Metro Transit in the provision of direct transit from central locations.

MOTION PUT AND PASSED.

The vote was then taken on the Main Motion, as amended.

MOTION PUT AND PASSED.

13.6 Property Acquisition 982/990 Barrington Street, Harbour Solutions - Pier A Pumping Station

- C This matter was discussed during an In Camera session held prior to the Regular Session, and was now before Council for ratification.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Harold Todd Services Limited for the purchase of 982 and 990 Barrington Street subject to the terms and conditions set out in the staff report; and further that the staff report not be released until the Agreement of Purchase and Sale has been duly executed. MOTION PUT AND PASSED UNANIMOUSLY.

13.7 Property Matter - Transfer of Buy Back Agreement for Lot 204AX, Brownlow Avenue, Burnside

- C This matter was discussed during an In Camera session held prior to the Regular Session, and was now before Council for ratification.

MOVED by Councillor Smith, seconded by Councillor Goucher, that Council approve a transfer of the development obligations of Interprovincial Realty for lot 204AX on Brownlow Avenue to 209H on Brownlow Avenue subject to the terms and conditions set out in the November 4, 2002 Private and Confidential staff report; and further that this report not be released to the public until the Buy Bank Agreement between HRM and the Armour Group Limited for lot 209H has been finalized. MOTION PUT AND PASSED.

13.8 Legal Matter - Settlement of Claim

- C This matter was discussed during an In Camera session held prior to the Regular Session, and was now before Council for ratification.

MOVED by Councillor Mosher, seconded by Councillor Walker, that Council approve the pay out of the claim, as contained in the November 5, 2002 Private and

Confidential staff report, for the sum of \$16,000 plus HST, once the work has been completed. MOTION PUT AND PASSED UNANIMOUSLY.

13.9 Legal Matter - Settlement of Claim

C This matter was discussed during an In Camera session held prior to the Regular Session, and was now before Council for ratification.

MOVED by Councillor Sarto, seconded by Councillor Smith, that Council settle the claim, as outlined in a verbal report at the November 12, 2002 In Camera Council session, in the amount of \$40,000. MOTION PUT AND PASSED UNANIMOUSLY.

14. NOTICES OF MOTION

14.1 Councillor Uteck - First Reading, By-Law P-1000 - Respecting On-Street Parking Exemptions and Permits

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on Tuesday, November 19, 2002, I intend to introduce a motion to move First Reading of By-Law P-1000 Respecting On-Street Parking Exemptions and Permits.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:00 p.m.

Vi Carmichael
Municipal Clerk