

# **HALIFAX REGIONAL MUNICIPALITY**

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## **COMMITTEE OF THE WHOLE MINUTES**

January 25, 2005

**PRESENT:** Mayor Peter J. Kelly  
Deputy Mayor Len Goucher  
Councillors: Krista Snow (1:20 pm)  
David Hendsbee (1:15 pm)  
Harry McInroy  
Gloria McCluskey  
Andrew Younger  
Bill Karsten  
Becky Kent  
Jim Smith (1:14 pm)  
Mary Wile  
Patrick Murphy (1:30 pm)  
Dawn Sloane  
Sue Uteck  
Sheila Fougere (1:12 pm)  
Russell Walker  
Debbie Hum  
Linda Mosher  
Brad Johns  
Robert Harvey  
Reg Rankin  
Gary Meade

**REGRETS:** Councillors: Steve Streach  
Stephen D. Adams

**STAFF:** Mr. George McLellan, Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Jan Gibson, Municipal Clerk  
Ms. Chris Newson, Legislative Assistant

**Table of Contents**

1.	CALL TO ORDER .....	3
2.	APPROVAL OF THE MINUTES OF - November 30 & December 14, 2004 .....	3
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	3
4.	WATER RESOURCE MANAGEMENT OVERVIEW (Staff Presentation) .....	3
5.	25 YEAR WASTEWATER / STORMWATER FORECAST .....	7
6.	HARBOUR SOLUTIONS PROJECT - QUARTERLY REPORT .....	4
7.	ENVIRONMENTAL PROTECTION CHARGE (EPC) RATE INCREASE .....	9
8.	HALIFAX REGIONAL WATER COMMISSION RELATIONSHIP & GOVERNANCE	9
9.	PROPOSED BY-LAW A-300, RESPECTING ANIMAL CONTROL .....	9
10.	ADJOURNMENT .....	9

**1. CALL TO ORDER**

Mayor Kelly called the meeting to order at 1:07 pm.

**2. APPROVAL OF THE MINUTES OF - November 30 & December 14, 2004**

**MOVED BY Councillor Walker, seconded by Councillor Hum that the minutes of November 30 & December 14, 2004 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

The order of business was amended as follows:

Agenda Item 6 - Harbour Solutions Project, to be dealt with immediately following Agenda Item 4 - Water Resource Management Overview, followed by Agenda Item 5 - 25 Year Wastewater/Stormwater Forecast.

**MOVED BY Councillor Kent, seconded by Councillor Johns, that the Order of Business be approved as amended. MOTION PUT AND PASSED.**

**4. WATER RESOURCE MANAGEMENT OVERVIEW**

Mr. Brad Anguish, Director, Environmental Management Services, assisted by Mr. Marc Scarfone, Coordinator, Director's Office, Environmental Management Services, presented a slide presentation. Mr. Anguish gave a general overview of the Wastewater Management Strategy.

Mr. Anguish advised HRM had obtained a score of "D" in sewage treatment levels for 2004 recorded in the National Sewage Report card. This is an improvement from the previous "E-" rating. He added the most overwhelming problem for HRM in water treatment is sewage treatment. He encouraged Councillors to contact staff regarding information / clarification on issues relating to sewer release By-Laws to ensure they are provided with the most accurate information.

The following comments/concerns were raised by Council during the ensuing discussion:

- 1. Request HRM be pro-active in ensuring a mechanism is in place regarding stormwater management drainage for issues occurring from neighbouring properties during development (erosion, sediment control, lot drainage etc.).

- ! Suggest existing HRM Watershed Advisory Boards be utilized in a proactive way as they have collected water quality data and this will reduce testing costs.
- ! Grade Alteration By-Law should be strengthened, with cooperation of the province of Nova Scotia, to ensure there will be strong punitive measures regarding infilling issues and waterline matters.
- ! Suggest HRM include policies that will be in line with Kyoto Accord.
- ! Request HRM require developers to do water quality monitoring for as-of-right developments effective immediately.

Mr. Wayne Anstey, Municipal Solicitor, commented HRM could approach the province of Nova Scotia to put a mechanism in place to require testing but the difficulty would be in determining who will do the testing. Who in the property owning community would be required to do the testing and under what circumstances. If a private home owner were to build on a lake, would they would be required to do water quality testing? Major developments, under development agreements, are presently required to do water quality testing.

- ! HRM should consider budgeting for replacement and maintenance of existing infrastructure.
- ! HRM should consider districts with ground water /surface water as a broader base for the water charge or general tax to cover the cost of water quality monitoring.
- ! If infilling is being permitted by the Federal Government along shorelines, how does HRM stop sedimentation and erosion issues?
- ! The Regional Plan and Community Based plan suggest HRM needs view plane protection and watercourse protection in the Municipal Planning Strategies.
- ! HRM should address restoration problems as there are streams, rivers and lakes that are deteriorating.
- ! Water testing/restoration is the jurisdiction of the province. What does staff see as the possible future improvements other than cooperation with the province? Mr. Blouin responded the municipal area of responsibility is to reduce impact at source through land use controls as once a water body is impacted there is very little that can be done.

There were no further questions/comments at this time. It was previously agreed by the Committee to consider Agenda Item 6 at this time.

## **6. HARBOUR SOLUTIONS PROJECT - QUARTERLY REPORT**

- An Information Report dated January 20, 2004 was before the Committee of the Whole Council.

Mr. Ted Tam, Project Manager, Harbour Solutions Project, presented the report assisted by Mr. John Sibbald, Pollution Prevention Coordinator.

Mayor Kelly left the Chair at 1:50 pm. Deputy Mayor Goucher assumed the Chair at this time.

The following comments/concerns were raised by Council during the ensuing discussion:

HRM should factor in cost of oil grit separators in storm drain catch basins.

Mr. Tam will report back to Council on money provided/distributed to Community Liaison Committees and on how the funds were spent.

Mr. Sibbald will contact Public Works and Transportation/ Streets and Roads regarding dumping “clean” snow in Halifax Harbour. He added Environment Canada expressed they have no concern with dumping clean snow in the harbour unless sediment at the bottom of the harbour would be disturbed. He further commented that snow melters do not use particularly warm water so there is no environmental concern or damage to aquatic species.

Mr. Sibbald commented Solid Waste staff will be contacted regarding information for residents on the proper maintenance of green bins to ensure detergents etc. are not dumped in storm drains.

Mr. Sibbald advised combination storm/sewer systems in HRM are required to have on site treatment.

Mr. Sibbald will provide locations of the outfall sites to Councillor Smith at a later date.

Mayor Kelly resumed the Chair at 2:11 pm.

Councillor Uteck commented this would be an opportune time to have North West Arm residents on the sewage system. A Local Improvement Charge would apply and Councillor Uteck requested staff act on this. Mr. Tam responded if the property is not already hooked up to sewer through the Harbour project there are some opportunities and staff will contact homeowners. He added the homeowners would have to speak to a developer for connections as the pipes can be put in now and connected at a later date. Councillor Uteck advised some residents along the North West Arm who are paying taxes, do not have municipal water service.

Councillor Rankin requested clarification on page 7 of Attachment 1 in the report regarding the incremental charges as outlined in the table regarding the Halifax Harbour Solutions project. He advised the table provided is difficult to follow and includes an error as there are **no** increases forecast for 2005, 2006 and 2007 under existing infrastructure or wastewater/stormwater management.

Mr. Brad Anguish confirmed that there was indeed an error and the spaces should be blank for 2005/06, 2006/07 and 2007/08.

Councillor Rankin requested further clarification on the methodology used to calculate the data as the numbers do not add up under existing infrastructure for Harbour Solutions in that same table. There appears to be numerous methodologies contained in the table. Mr. Brad Anguish

responded from 2003 down to 2007/08 the information is consistent and explained the methodology in detail. He added staff is implementing a change and would like to simplify to a clean water charge and a dirty water charge. He added the Increase Column is confusing and staff will rework it. Councillor Rankin suggested staff use the term "a nickel" rather than the incremental presentation.

Mr. Tam clarified for Councillor Wile that the bio-solid waste product is a Class A, almost like a soil in texture and 60% solid. Staff researched other processes and the current process is the best you could have based on today's technology and is being considered by other Canadian municipalities. Councillor Wile commented the public do not understand this and it should be part of the public education process. She added legislation may be implemented at some point to ban this product; what would HRM do with it in that instance? Mr. Ted Tam advised Council that public education/information is being developed.

Mr. George McLellan, CAO, commented the end product is a by-product and will always be HRM's responsibility. There has to be a level of acceptance with the product we are left with and we have to communicate well with the public and put them at ease.

Mayor Kelly called a recess at 3:05 pm.

Committee of the Whole was reconvened at 3:18 pm.

**MOVED BY Councillor Walker, seconded by Councillor Rankin that the remaining items on the agenda be deferred to next week.**

Mr. George McLellan, CAO, advised HRM is forgoing \$150,000.00 in revenue each month with the delays. Mr. Brad Anguish advised there has been a four month delay pattern in trying to create only one increase to the water rate this fiscal year for the public. Staff knew there were funding pressures to be dealt with regarding existing infrastructures and that delay has cost a lot of money to the Municipality. Councillor Walker commented that the increase will not be billed until March 1. Mr. Anguish advised it will take some administrative time to get the information on the water bills. Deputy Mayor Goucher suggested Council *expeditiously* deal with the five cent increase on the harbour solutions project. **Mayor Kelly clarified the motion on the floor is to DEFER the remaining agenda issues until next week's Committee of the Whole.**

**MOTION DEFEATED.**

Mayor Kelly inquired if Council wished to continue with Agenda Item 5 - 25 Year Wastewater/Stormwater Forecast and continue the meeting for another ten minutes until 4:00

pm and then adjourn for In Camera, or complete the item. **Council agreed to continue with Item 5 until 4:00 pm.**

**5. 25 YEAR WASTEWATER / STORMWATER FORECAST**

- A report dated January 14, 2005 was before Members of Council for consideration.

Mr. John Sheppard, Manager, Environmental Engineering Services, presented the report.

The following are comments/concerns raised during the ensuing discussion:

- Councillor Sloane requested the figures for the Halifax Sewage Treatment Plant be forwarded to Councillors as soon as staff are able to provide them. Mr. Anguish advised caution when reviewing the numbers as there were provisions in the contract that a secondary treatment plant could fit on that site and those numbers were never discussed in detail.
- Deputy Mayor Goucher requested a list of possible situations where the priorities list may apply as he has to respond to residents who, in 2003, had thousands of dollars worth of damage due to flooding and HRM has said HRM is not legally liable in that case. He added he will not support staff's priority list as presented as, from the perspective of his residents, it does not help the residents at all.
- Mr. John Sheppard clarified for Deputy Mayor Goucher and Councillor Karsten that the priorities are for those properties that HRM owns. If HRM's infrastructure is not the cause of the problem, HRM is not responsible to fix those problems.
- Councillor Karsten advised he cannot support this recommendation as he has constituents that have problems as well, such as Ellenvale Run, and he cannot support something that will put them on the bottom of the priority list.
- Ms. Dale McLennan clarified for Councillor Mosher that pre-existing (pre-amalgamation) By-Laws prohibit taking both principle and interest out of the existing water rates. This will be reviewed in 2005/06 in terms of it being appropriate or not and staff will be asking where should HRM be raising funds. Capital cost contribution, water rate, general rate and sewer redevelopment - all those charges will be debated.
- Councillor Mosher requested the report on separation of sewers come to Committee of the Whole for presentation as well as any updates.

Mayor Kelly requested clarification from Ms. Dale McLellan regarding whether the first five cents is automatic. Ms. McLellan advised both components of the rate increase need to be approved by Council. Council has only approved the first five cents in principle. She added the entire report could go forward tonight.

Mayor Kelly confirmed that Councillor Uteck's proposed motion was for the entire Environmental Protection Charge (EPC) Rate Increase report go forward to Regional Council tonight.

Mayor Kelly advised it was now 4:00 pm.

On a point of privilege, Councillor Uteck indicated it was her intent that debate would continue after 6:00 pm tonight on the issue. Mayor Kelly asked if it was her intention to move this item forward as an addition to Council's agenda for debate tonight.

**MOVED BY Councillor Uteck, seconded by Councillor Snow that Agenda Item 5- 25 Year Wastewater/Stormwater Forecast and Agenda Item 7. Environmental Protection Charge (EPC) Rate Increased, be moved forward to tonight's Regional Council meeting to continue debate.**

Councillor Hendsbee requested clarification on whether there would be opportunity for debate on this issue at tonight's Council meeting as well as the issue of the rate increases as he has questions pertaining to both items. He asked how Council could have a Committee of the Whole discussion on the 25 Year Stormwater and Wastewater Forecast after a foregone conclusion of the rates being set? He asked if Council would be able to debate the proposed increases tonight, and then debate the 25 Year Stormwater and Wastewater Forecast at a future meeting.

Mayor Kelly advised the issue would be dealt with as an added item at the end of this evening's Council agenda. Mayor Kelly further advised Council could divide the issue into two motions with two different discussions on two different motions.

Ms. Dale McLennan, Director, Financial Services, explained that rate increases would be brought forward to Council for deliberation and approval. The 25 Year Stormwater and Wastewater Forecast provides excellent context for discussion of the rates, but the rate increase stands by itself in terms of the need for it to happen. The proposed rate increase should move forward to Council tonight and does not require a Committee of the Whole unless Council determines it warrants further discussion.

Councillor Walker expressed concern in going forward with the rate increases before the 25 Year Stormwater and Wastewater Forecast discussions are complete as the rate increases are a budget implication of the 25 Year Stormwater and Wastewater Forecast. Councillor Walker referred to page 8 of the staff report dated January 14, 2005 regarding the 25 Year Stormwater and Wastewater Forecast under BUDGET IMPLICATIONS which indicates the two are tied together.

Mayor Kelly requested clarification on whether the two items are tied together. Mr. Brad Anguish advised the two items are not tied together. He explained the priority rating system (as defined in the 25 Year Stormwater and Wastewater Forecast report dated January 14, 2005) stands alone as it is just to prioritize staff's work.

Mayor Kelly advised it has been **MOVED and seconded that Agenda Item 5. 25 Year Wastewater / Stormwater Forecast and Agenda Item 7. Environmental Protection Charge (EPC) Rate Increase be referred to tonight's session of Regional Council for discussion. MOTION DEFEATED.**

Mayor Kelly advised the discussions on Agenda Items 5 and 7 will continue at next week's Committee of the Whole.

**7. ENVIRONMENTAL PROTECTION CHARGE (EPC) RATE INCREASE**

**Deferred** to next Committee of the Whole meeting due to time constraints.

**8. HALIFAX REGIONAL WATER COMMISSION RELATIONSHIP & GOVERNANCE**

**MOVED BY Councillor Uteck, seconded by Councillor Walker that Agenda Item 8. Halifax Regional Water Commission Relationship & Governance be moved directly to tonight's Regional Council agenda. MOTION PUT AND PASSED.**

**9. PROPOSED BY-LAW A-300, RESPECTING ANIMAL CONTROL**

**Deferred** to next Committee of the Whole meeting due to time constraints.

**10. ADJOURNMENT**

The meeting was adjourned at 4:06 pm.

Jan Gibson  
Municipal Clerk