

## HALIFAX REGIONAL MUNICIPALITY

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HALIFAX REGIONAL COUNCIL  
COMMITTEE OF THE WHOLE  
MINUTES  
APRIL 6, 2004

PRESENT: Mayor Peter Kelly  
Deputy Mayor Steve Streach  
Councillors: Krista Snow  
David Hendsbee  
Ron Cooper  
Brian Warshick  
Condo Sarto  
Bruce Hetherington  
Jim Smith (1:15 p.m.)  
John Cunningham  
Dawn Sloane  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Debbie Hum  
Linda Mosher  
Brad Johns  
Robert Harvey  
Len Goucher  
Reg Rankin (1:55 p.m.)  
Gary Meade

ABSENT: Councillors: Jerry Blumenthal (Regrets)  
Stephen Adams  
Harry McInroy (Regrets)

STAFF: Mr. George McLellan, Chief Administrative Officer  
Mr. Dan English, Deputy Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Jan Gibson, Acting Municipal Clerk  
Ms. Sheilagh Edmonds, Legislative Assistant

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**1. CALL TO ORDER**

The meeting was called to order at 1:00 p.m.

**2. APPROVAL OF MINUTES - JANUARY 27 AND FEBRUARY 10, 2004**

**MOVED by Councillor Goucher, seconded by Councillor Hetherington that the minutes of January 27, 2004 and February 10, 2004 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**MOVED by Councillor Sloane, seconded by Councillor Hetherington that the Order of Business be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

**4. BY-LAW SERVICES - "NEXT STEPS"**

- C An information report dated March 31, 2004 prepared by Brad Anguish, Director, Environmental Management Services for Mayor Kelly and Members of Halifax Regional Council was before Committee for its consideration.
- C A copy of a PowerPoint presentation was circulated to Council.

(Councillor Smith took his place at 1:15 p.m.)

Mr. Brad Anguish, Director, Environmental Management Services provided a presentation on the 'Next Steps' of By-Law Services. He indicated that this presentation was in response to a request at the March 17, 2003 Committee of the Whole for a report with regard to the By-law Rationalization Working Group and By-law Services. In his presentation, he elaborated on the following aspects:

- < the situation with regard to by-laws of pre-amalgamation vs. post-amalgamation.
- < the guiding principles of by-law rationalization.
- < the five elements of by-law rationalization, i.e. Policy, Enforcement, Administration, Licensing and Permitting, and Remedy.
- < the various Business Units that have involvement in HRM's by-laws.
- < the creation of Administrative Order 32 (Respecting the Procedures for Developing By-laws for consideration by Regional Council).
- < effective compliance measures.

- < the implementation of issuing Summary Offence Tickets, and the strategy behind Summary Offence Tickets.
- < enhancing service delivery with regard to HRM's By-Law Service.
- < the 'lessons learned' in going through the by-law rationalization process.
- < the By-Law Integration Project.
- < By-law related systems.
- < By-law integration deliverables.

Mr. Anguish and Mr. Allan Waye, General Manager, Environmental Management Services responded to questions from members of Council.

Councillor Sloane expressed concern about the lack of enforcement of some by-laws, noting in particular that the number of posters and advertisements on utility poles in her district is such a problem that residents have taken the initiative to go out and tear them down. The Councillor pointed out the upcoming tourist season was fast approaching and something needed to be done as soon as possible. She questioned staff on their timeline with regard to improving enforcement of by-laws.

In response, Mr. Anguish advised that staff will be coming back to Council soon with a report and it will address the Councillor's question. In addition, Mr. Anguish pointed out for Council's information that the submitted report contains a By-law Matrices, and it identifies the various business units that have responsibility over particular by-laws.

Councillor Harvey advised that he has a problem in his district with abandoned shopping carts, and noted that it was increasing.

In response, Mr. Allan Waye advised Councillor Harvey to contact his staff and they would follow up on this matter. He added that By-Law Rationalization has been working on a general nuisance by-law which will put the onus back on the owners of the carts, thus enabling staff to carry out adequate enforcement. He indicated this will be coming to Council in a matter of weeks.

(Councillor Rankin took his place at 1:55 p.m.)

Mr. Waye pointed out that there are times, i.e. seasonally, when By-law Enforcement steps up its enforcement by providing service on weekends and the evenings.

Councillor Sloane asked Mr. Waye to notify the Councillors, by e-mail, when weekend and evening enforcement commences.

In addition, Councillor Sloane noted that the problem of people not picking up after their dogs was increasing, and she suggested that staff provide a Public Service Announcement in print,

and on the local television cable station.

Councillor Smith made reference to the solid waste bylaw and asked that staff consider reducing the notification period from seven days to twenty four hours. As an example, he explained that, should there be a complaint of an overflowing garbage bin, rather than allow seven days for the owner to rectify the problem, the timeline be reduced to twenty four hours.

## **5. PESTICIDE BY-LAW / INSECTICIDE PERMIT PROCESS**

- C A report dated March 1, 2004 prepared for Mayor Kelly and Members of Halifax Regional Council was submitted.
- C Correspondence dated March 29, 2004 from Dr. Jacobo and Mrs. Erlinda Aslincion was submitted.
- C Correspondence dated March 28, 2004 from Lisa Comeau was submitted.
- C Correspondence dated April 2, 2004 from Jane Tribble to was submitted.
- C Correspondence dated March 24, 2004 from David G. Patriquin, Professor of Biology, Dalhousie University was submitted.
- C Correspondence dated March 27, 2004 from Cathy McNeil was submitted.
- C Correspondence dated April 6, 2004 from Marek Roland, M.Sc., Ph.D. was submitted.

Mr. Stephen King, Manager-Sr. Advisor, SSRM, Environmental Management Services addressed Council and outlined the submitted report, noting that this was the fifth year of the bylaw and that it appears to be meeting the fundamental intent, which is human health and environmental protection. Highlights of Mr. King's presentation are as follows:

- < with respect to effectiveness of the bylaw, a major report was recently released in the Toronto area concerning 'best practices' review of bylaws that have been carried out in Canada, United States and Europe. Of the nine top programs in Canada, United States and Europe, HRM had the highest compliance rates and lowest per capita cost.
- < areas specified in the report for enhancement are currently being actioned, e.g. fine tuning with the bylaw, handling of data, and online registration.
- < important to continue to encourage and influence the Provincial and Federal Governments.
- < last year, the hardest hit area was the pest permit process, which had a twenty-fold increase. Due to timing and requests, it was difficult to adjust the budget at that time and resulted in an approximate \$20,000 over budget.
- < over the past few weeks, staff have held meetings with stakeholders to improve, enhance and ensure the integrity of the bylaw is maintained.
- < IPM type of system - staff concluded that there would not be a significant

- savings financially or time-wise, and there would also be cost predictability issues.
- < 'Self Permitting' with one particular group may cause an unlevel playing field for others in the industry.
  - < Federally, many of the products registered for lawn care, particularly for chinch bug, have come off the market; therefore, staff want to be cautious they don't set up an elaborate permitting system that would be rendered moot when all of these products come off the market.

In concluding his remarks, Mr. King advised that it is the view of staff to continue with an enhanced independent third party system that can incorporate some of the principles that industry has through IPM, as well as some of the suggestions from the community advocacy groups. This is an integrated and strategic approach with a philosophy of "Prevention at Source".

**MOVED by Councillor Uteck, seconded by Councillor Cunningham that:**

1. Regional Council continue to support an enhanced, qualified third party pesticide permitting approach as described in this report.
2. A letter from the Mayor and Regional Council be forwarded to the Federal Minister of Health, specifically requesting that federal recommendations to improve human health and environmental protection through proposed and approved changes in the Federal Pest Control Products Act and the Pest Management Regulatory Agency (PMRA) be expedited. Further, that the PMRA expedite the process to bring safer pest control products onto the market, as requested by the House of Commons Standing Committee on the Environment and Sustainable Development.
3. A letter from the Mayor and Regional Council be forwarded to the Provincial Minister of Environment and Labour, specifically requesting that where possible, pesticide use information collected through the provincial pesticide applicators certification programs be made available to HRM to help better determine trends and overall pesticide use. Further, the Nova Scotia Department of the Environment and Labour look at enhancing its public education and awareness efforts towards more sustainable landscape maintenance practices including working more closely with the landscape industry, community and HRM.

**MOVED by Councillor Mosher, seconded by Councillor Hendsbee that the motion be amended to include:**

4. A letter from the Mayor and Regional Council be forwarded to the Provincial Minister of Health, the Minister of Health Promotion, and the Minister of Environment and Labour requesting financial contributions towards the costs of public education and awareness campaign on sustainable alternatives to pesticides.

Mr. King responded to questions from Council.

In response to a question by Councillor Hendsbee regarding whether the chemicals used in the application process were mixed at a company factory, or if they were mixed at the site to be applied, Mr. King advised he would follow up with the Department of Environment on this issue.

Councillor Hum indicated she was pleased with the process, however she felt there was room for improvement, and made the following points:

- < the terminology 'IPM' should be removed from the document, and instead encourage no use of pesticides
- < ensure that sustainable practices are used
- < the protection of notifying people that are impacted by pesticide spraying reinforced in the education literature.
- < organic certified inspectors be considered for the program

Following further questions with Mr. King responding,

**THE AMENDMENT WAS VOTED ON AND PASSED.**

**THE MOTION, AS AMENDED, WAS VOTED ON AND PASSED.**

## **6. WEEKLY SUMMER COLLECTION GREEN CART PILOT PROJECT**

- C A report dated March 29, 2004 to Mayor Kelly and Members of Halifax Regional Council was submitted with a recommendation 'that based upon the marginal benefits quantified during the eight-week, weekly summer collection green cart pilot project, that the current service level of biweekly green cart collection, continue for future summers'.

Mr. Jim Bauld, Manager, Solid Waste Resources, addressed Council and gave a presentation concerning the Weekly Summer Collection Green Cart Pilot Project. He explained the purpose of the Pilot Project was to find a cost effective method of empirically evaluating the impact of weekly summer green cart collection on organics, program participation, and customer satisfaction. He added that the results of this Pilot Project will

assist HRM in determining if a recurring investment in weekly summer green carts throughout the HRM is warranted in future. The following points were highlighted in his presentation:

- < The weekly summer green cart pilot project was conducted at approximately 15,500 homes with a biweekly control area of 6,000 homes.
- < The Project was carried out over eight weeks commencing Monday, July 7 to August 29; Tuesday and Thursday - Halifax; Thursday, Dartmouth; Wednesday, Halifax (the control area).
- < Rationale for the Pilot Areas: typical mix of urban high density development in downtown core, mature residential area, and properties with very small front and side yards.
- < Measurement: (A) Set-out Rate, (B) Tonnage, (C) Customer Satisfaction.
- < Set-out Rate - this is new information for staff and will help evaluate their communication/education program now that they know how many residents are typically home during summer months.
- < Tonnage - organic material collected - 8.8 kg per household in controlled area; 10.2 kg per household in pilot area; 11.1% higher in weekly collection area
- < Customer Satisfaction - reports of nuisances dropped
- < Collection Preference - weekly preferred in the Pilot area; bi-weekly is slightly preferred in the bi-weekly area.
- < Willingness to Pay - two-thirds of residents in the Pilot Area indicated they would incur a cost of \$3/household for the two month service.
- < Annual costs for weekly organic collection in July and August is \$100,000 for Halifax and Dartmouth, and \$250,000 for all of HRM.
- < Conclusion - there are benefits to enhanced service, however, there are other funding pressures which Council may wish to consider in the broader perspective of priorities.
- < Staff plan to expand the educational component to include television campaign for ten weeks during the summer.

Councillor Sloane addressed the matter and indicated that she supported one of the alternatives in the staff report and was prepared to put forward a motion in that regard.

**MOVED by Councillor Sloane, seconded by Councillor Uteck that** a weekly summer green cart collection in urban/suburban HRM (Halifax, Dartmouth, Bedford, Sackville, Cole Harbour, Beechville, Lakeside, Timberlea) at a cost of approximately \$180,000 annually be implemented.

A discussion ensued and Mr. Bauld responded to questions from members of Council. The general consensus among Council members who spoke on the issue, was that the benefit of the enhanced summer collection service outweighed the costs.

Mr. George McLellan, CAO, pointed out that prior to approving the motion, Council should determine whether the service will be paid through an area rate or if the funds have to be found elsewhere in the budget.

The Chair advised that due to time constraints it may be best to refer this matter to budget deliberations.

**MOVED by Councillor Sloane, seconded by Councillor Mosher that** the matter of Weekly Summer Collection Green Cart Pilot Project be referred to the budget deliberations.

**MOTION PUT AND PASSED.**

## **7. ADJOURNMENT**

The meeting adjourned at 3:05 p.m.

Jan Gibson  
Acting Municipal Clerk