

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES FEBRUARY 23, 1999

PRESENT:

Deputy Mayor Larry Uteck  
Councillors: Bill Dooks  
Gordon R. Snow  
David Hendsbee  
Ron Cooper  
Harry McInroy  
Jack Greenough  
Condo Sarto  
Bruce Hetherington  
Clint Schofield  
John Cunningham  
Jerry S. Blumenthal  
Graham L. Downey  
Sheila Fougere  
Russell Walker  
Bill Stone  
Stephen D. Adams  
Barry Barnet  
Peter J. Kelly  
Reg Rankin  
Jack Mitchell

ABSENT WITH  
REGRETS:

His Worship Mayor Walter Fitzgerald  
Councillor Robert P. Harvey

STAFF MEMBERS:

Mr. Dan English, Acting Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Vi Carmichael, Municipal Clerk  
Ms. Karen Swim, Assistant Municipal Clerk

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**1. INVOCATION**

The meeting was called to order at approximately 6:00 p.m. Councillor Mitchell, at the Chair's request, led his colleagues in the recitation of the invocation.

**1A. His Worship Mayor Walter Fitzgerald**

Deputy Mayor Uteck advised that His Worship Mayor Walter Fitzgerald is now scheduled to undergo cardiac bypass surgery on Thursday, February 25. He added that the Mayor is looking forward to having the operation behind him and to being back at work, hopefully within the next six weeks. The Deputy Mayor went on to emphasize that His Worship is in extremely good spirits and very much appreciates all the expressions of good will that have been forwarded to him over the last several weeks.

**2. APPROVAL OF MINUTES**

**MOVED by Councillor Blumenthal, seconded by Councillor Hetherington that the Minutes of the regular meeting of Halifax Regional Council, held on Tuesday, February 9, 1999, be approved as circulated. THE MOTION WAS PUT AND PASSED.**

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

The following items were added to the agenda:

- 12.1 Councillor Rankin: Council Appointments - Community Monitoring Committee
- 12.2 Councillor Rankin: Site A - Rebate
- 12.3 Report from Deputy CAO Re: Spring Weight Restrictions
- 12.4 Report from Grant Committee Re: (1) Amendment of Administrative Order No. 10 (Residential Tax Exemption Program); and (2) Councillors' Discretionary Grant Funding
- 12.5 Acquisition of Land - Mooseland (District 1)
- 12.6 Councillor Adams: Water Services - Herring Cove

**MOVED by Councillor Greenough, seconded by Councillor Downey that the agenda, as amended, be approved. THE MOTION WAS PUT AND PASSED.**

**5. BUSINESS ARISING OUT OF THE MINUTES - NONE**

**6. MOTIONS OF RECONSIDERATION - NONE**

7. MOTIONS OF RESCISSION - NONE

8. **CONSIDERATION OF DEFERRED BUSINESS - NONE**

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

9.1 **Petitions**

9.1.1 **Councillor Sarto Re: Crosswalk - Tacoma Drive**

Councillor Sarto submitted a petition containing approximately 100 signatures requesting that a crosswalk be installed across Tacoma Drive in the vicinity of the IGA. The Councillor asked that this request be forwarded to Traffic Services staff for review and comment.

9.1.2 **Councillor Walker Re: Jollimore Playground**

Councillor Walker submitted a petition containing approximately 85 signatures expressing concern regarding the dismantling of the Jollimore Playground (Albion and Kirk Roads), and asked to have it referred to staff for review and comment.

9.1.3 **Councillor Walker Re: Traffic Signals**

Councillor Walker submitted a petition containing approximately 24 signatures requesting (a) the installation of a flashing light at the foot of Ramsgate Lane and Purcell's Cove Road; and (b) a road sign to indicate the sharp turn and hidden roadway heading up Purcell's Cove Road near the right-hand turn onto Ramsgate Lane. The Councillor asked that this petition be forwarded to the appropriate staff for review and comment.

9.1.4 **Councillor Walker Re: Transit Route #6 (Stonehaven)**

Councillor Walker submitted a petition containing approximately 92 signatures protesting the cutbacks to the #6 (Stonehaven) bus service on Saturdays after 6:00 p.m. as well as on Sundays and holidays. The Councillor asked that this petition be forwarded to Metro Transit staff for review and comment.

10. **REPORTS**

10.1 **MEMBERS OF COUNCIL**

10.1.1 **Councillor McInroy - Municipal Services  
to Native Lands (Cole Harbour)**

Councillor McInroy noted that over the last several years there has been an increase in both residential and commercial development on the native lands along the Caldwell Road. Given these changes, the Councillor suggested that the time may now be opportune to

undertake an analysis of the municipal services already being provided to this community and to develop recommendations as to what additional services might be considered. He went on to note that it was his understanding that contractual agreements (i.e., service provision at a fee) are commonly used elsewhere in circumstances such as this.

**MOVED by Councillor McInroy, seconded by Councillor Hetherington that staff be requested to undertake a review of the municipal services presently provided to the Native Reserve on Caldwell Road (District 5) including recommendations regarding possible modifications and the manner in which these services should be contracted. THE MOTION WAS PUT AND PASSED.**

#### **10.1.2 Councillor Snow - Sanding and Plowing**

Councillor Snow expressed concern about a number of incidents in which, despite the fact that there was less than 1/4" of snow on the street surface, a municipal snow plow has been witnessed with its blade down. The Councillor pointed out that, not only is this a waste of manpower, it can also be extremely hard on the equipment and, indirectly, on the taxpayer who will be expected to pay for replacements.

Councillor Snow also made reference to the numerous calls he has received regarding the Municipality's use of "crusher dust" to sand urban streets. He emphasized that the composition of this product creates an exorbitant amount of residue on abutting lawns and gardens while at the same time causing damage to vehicle bodies and windshields.

With reference to the Councillor's concerns, Mr. John MacKay, Director of Works and Natural Services, advised that HRM's policy on street plowing is designed to ensure that as much surface snow as possible is removed before salt is applied. He acknowledged, however, that plow operators must be keenly aware of the balance that must be achieved between too much and too little surface snow, emphasizing that training programs to address this issue have been established.

Regarding the application of "crusher dust" or "manufactured sand," Mr. MacKay advised that this product is also used by the Department of Transportation and is approximately 10 percent cheaper than natural sand. He went on to suggest that the problems referenced by Councillor Snow may have been caused by an inappropriate amount of sand being applied, adding that this too can be addressed through proper training.

Councillor Barnet concurred with the concerns put forward by Councillor Snow regarding the use of manufactured sand. Noting that this product was used by HRM during the winter of 1997/98 with very few complaints, the Councillor suggested that perhaps the product had been modified in some way by its manufacturer.



Mr. MacKay indicated that he would investigate Councillor Barnett's suggestion and also that, as requested by the Councillor, crews would be dispatched as soon as the weather permits to clean the sand from the streets and gutters in District 19.

Councillor Mitchell put forward the suggestion that because the trucks used to transport the sand are not being properly cleaned, chunks of the material are being allowed to form which, in turn, is responsible for some of the damage to car windshields.

### **10.1.3 Councillor Mitchell - Shad Bay Property: Boat Launch**

Councillor Mitchell made reference to a body of land in Shad Bay, consisting of three separate properties, which has been used as a boat launch for over 40 years. Noting that one of these properties has already been donated to HRM, the Councillor expressed an interest in acquiring a second site at this location.

**MOVED by Councillor Mitchell, seconded by Councillor Blumenthal that staff be asked to review and make recommendation on the feasibility of HRM acquiring a second parcel of land in Shad Bay (in addition to the parcel previously donated to the Municipality) by expropriation or some other means. THE MOTION WAS PUT AND PASSED.**

## **10.2 CHIEF ADMINISTRATIVE OFFICER**

### **10.2.1 First Reading - By-Law B-400 Respecting Burglary, Robbery and Fire Alarm Systems**

Notice of Motion with regard to this proposed By-Law was given by Councillor Stone during a regular meeting of Halifax Regional Council held on Tuesday, February 9, 1999.

**MOVED by Councillor Stone, seconded by Councillor Hetherington that By-Law B-400 Respecting Burglary, Robbery and Fire Alarm Systems be given First Reading; and further, that Second Reading be scheduled for the regular meeting of Halifax Regional Council to be held on Tuesday, March 9, 1999. THE MOTION WAS PUT AND PASSED.**

Councillor Kelly made reference to the questions he had raised with regard to this matter during Council's February 9 meeting, and asked that staff be prepared to respond on March 9.

### **10.2.2 Tender 99-201, Site Improvements: Lot 58A, Chain Lake Drive**

- A staff report dated February 9, 1999 and entitled *Award of Tender No. 99-201, Site Improvements - Lot 58A*, was submitted under the signatures of Mr. K. R.

Meech, Chief Administrative Officer, and Mr. Dan English, Deputy Chief Administrative Officer.

**MOVED by Councillor Stone, seconded by Councillor Greenough that Tender No. 99-201, Site Improvements - Lot 58A, be awarded to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Total Tender Price of \$125,022.25, and a Total Project Cost of \$143,776.00, with funding authorized as per the Budget Implications of the staff report dated February 9, 1999.**

Councillor Hetherington expressed concern that, at a time when the Municipality is experiencing severe financial constraints, staff are recommending the expenditure of over \$100,000 merely to “beautify” an HRM-owned lot.

Mr. Kulvinder Dhillon, Director of Engineering and Transportation Services, advised that the project, which received approval during the 1998/99 budget discussions and which will be paid for from the Sale of Land Account, must be completed in order to comply with the restrictive covenants which are applicable to all tenants of the Bayers Lake Business Park.

Councillor Cooper asked to be provided with information from staff as to the current balance of the Sale of Land Account.

Following a brief discussion and further questioning of staff, **THE MOTION WAS PUT AND PASSED.**

#### **10.2.3 Withdrawal Resolution - Special Reserve Fund (Landfill Closure)**

- A staff report dated February 15, 1999 and entitled *Withdrawal Resolution - Special Reserve Fund (Landfill Closure)* was submitted under the signatures of Mr. K. R. Meech, Chief Administrative Officer, and Mr. George McLellan, Deputy CAO.

**MOVED by Councillor Greenough, seconded by Councillor Mitchell that Council approve Withdrawal Resolution 99/00-06 - Landfill Closure in the amount of \$916,415.00. THE MOTION WAS PUT AND PASSED.**

#### **10.2.4 Renaming of Otter Lake Drive**

- A staff report dated February 17, 1999 and entitled *Renaming Otter Lake Drive* was submitted under the signatures of Mr. K. R. Meech, Chief Administrative Officer, and Mr. Dan English, Deputy CAO.

**MOVED by Councillor Rankin, seconded by Councillor Fougere that Council not approve the renaming of Otter Lake Drive, but instead approve the naming of a building or a training room at the Waste Resource Management Facility in memory of the late Mr. Peter Kidd.**

In putting forward the motion, Councillor Rankin suggested that the naming of a training room was particularly fitting, given that the late Mr. Kidd had been both an educator by profession and an individual extremely committed to heightening public awareness of the issues surrounding waste management.

Councillor Cooper made reference to a request debated by Council several weeks ago with regard to the renaming of a portion of Jubilee Road, and recommended that staff establish a registry of suggested street names to be drawn from as the need arises.

**THE MOTION WAS PUT AND PASSED.**

**10.2.5 Case 00064 - Extension of Development Agreement Time Limit: Summer Street and Spring Garden Road**

**CONFLICT OF INTEREST**

Councillor McInroy declared a conflict of interest owing to his employment with the Provincial Assessment Division, and withdrew from the discussion.

- A staff report dated February 15, 1999 and entitled *Case No. 00064 - Extension of Development Agreement Time Limit: Summer Street and Spring Garden Road* was submitted under the signatures of Mr. K. R. Meech, Chief Administrative Officer, and Mr. Dan English, Deputy CAO.

**MOVED by Councillor Downey, seconded by Councillor Walker that Halifax Regional Council amend the development agreement with Brenhold Limited, dated December 21, 1994, to extend the commencement date of construction to September 1, 2003 and the completion date of construction to September 1, 2008 as shown in the draft amending agreement attached as Appendix "A" to the staff report dated February 15, 1999. THE MOTION WAS PUT AND PASSED.**

Councillor McInroy returned to the meeting.

**10.2.6 Amendment to Administrative Order #10 Respecting Residential Tax Exemption Program/Councillors' Discretionary Grant Funding**

- A staff report dated January 29, 1999 and entitled *Amendment of Administrative Order 10 Respecting Residential Tax Exemption Program* was submitted under

the signatures of Mr. K. R. Meech, Chief Administrative Officer, and Mr. Dan English, Deputy CAO.

- A report dated February 23, 1999 and entitled *(1) Amendment of Administrative Order 10 Respecting Residential Tax Exemption Program and (2) Councillors' Discretionary Grant Funding* was submitted under the signature of Councillor David Hendsbee, Chairman, HRM's Grant Committee.

**MOVED by Councillor Cunningham, seconded by Councillor Sarto that this matter be deferred for discussion to the February 25 meeting of Committee of the Whole (Operating Budget Review). THE MOTION WAS PUT AND PASSED with Councillor Blumenthal voting in opposition.**

## 11. MOTIONS

### 11.1 Councillor Kelly Re: Amendments to By-Law S-400

“To amend By-Law S-400, Respecting Charges for Street Improvements by adding Sub-section 2 (1)(9); namely, that Council shall not undertake any project as stated in Section 2 unless the Municipality receives a 66 2/3 support from the abutting property owners through a petitioning process.”

**MOVED by Councillor Kelly, seconded by Councillor Rankin that this matter be referred back to staff for further refinement. THE MOTION WAS PUT AND PASSED.**

### 11.2 Councillor Barnet Re: Paving Policy

“To request staff to amend the paving policy exempting streets exceeding twenty years of age from the requirement to pay local improvement charges.”

**MOVED by Councillor Barnet, seconded by Councillor Fougere that staff be requested to develop a report addressing the cost implications of amending current paving policies to exempt streets exceeding 20 years of age from Local Improvement Charges. THE MOTION WAS PUT AND PASSED with Councillor Walker voting in opposition.**

## 12. ADDED ITEMS

### 12.1 Councillor Rankin: Council Appointments - Community Monitoring Committee

**MOVED by Councillor Rankin, seconded by Councillor Hetherington that the Membership Selection Committee be requested to make recommendation as to**

**Council appointments to the Community Monitoring Committee. THE MOTION WAS PUT AND PASSED.**

**12.2 Councillor Rankin: Site A - Rebate**

- A letter dated February 23, 1999 addressed Mr. Ken Meech, Chief Administrative Officer, from Mr. Kurt Jacobs, President and CEO, MIRROR Nova Scotia, was submitted.

Councillor Rankin submitted a letter forwarded to Mr. K. R. Meech, Chief Administrative Officer, from Mr. Kurt Jacobs, President and CEO, MIRROR Nova Scotia, enclosing a cheque in the amount of \$760,000 representing cost-savings from Phase II of HRM's partnership arrangement with MIRROR (Otter Lake Solid Waste Management Facility).

**12.3 Report from Deputy CAO Re: Spring Weight Restrictions**

- A staff report dated February 22, 1999 and entitled *Spring Weight Restrictions* was submitted under the signatures of Mr. K. R. Meech, Chief Administrative Officer, and Mr. Dan English, Deputy CAO.

Mr. Kulvinder Dhillon, Director of Engineering and Transportation Services, responded to questions from various members of Council.

The following typographical error was noted with regard to Schedule "B" of the February 22 report:

*Bissett Road Between Cole Harbour Road and **Oceanview Manor** (should read "Halifax County Rehabilitation Centre")*

It was also noted that because Robb Engineering is no longer in operation, the notation "Caldwell Road to Robb Engineering" (with regard to the Oceanview School Road) should be amended.

**MOVED by Councillor Hetherington, seconded by Councillor Snow that Halifax Regional Council:**

- (1) **approve temporary maximum vehicle weight restrictions (as outlined in Schedule A of the February 22, 1999 staff report) applicable to all HRM streets not listed in Schedule B (these restrictions would be in effect beginning March 1, 1999 with the tentative removal date being April 22, 1999);**

- (2) authorize the Engineer to change the implementation dates, weight restrictions and list of exempted roads as conditions warrant.

**THE MOTION WAS PUT AND PASSED.**

**12.4 Report from Grant Committee Re: (1) Amendment of Administrative Order No. 10 (Residential Tax Exemption Program); and (2) Councillors' Discretionary Grant Funding**

This matter was dealt with under Item 10.2.6, Amendment to Administrative Order #10 Respecting Residential Tax Exemption Program/Councillors' Discretionary Grant Funding.

**12.5 Acquisition of Land - Mooseland (District 1)**

This matter had been discussed during an In Camera meeting of Halifax Regional Council held earlier in the day.

**MOVED by Councillor Dooks, seconded by Councillor Hetherington that the recommendation adopted during the In Camera meeting held earlier in the day be ratified. THE MOTION WAS PUT AND PASSED.**

**12.6 Councillor Adams: Water Services - Herring Cove**

Councillor Adams requested a joint report (in consultation with Mr. Carl Yates, Halifax Regional Water Commission; Mr. George McLellan, Deputy CAO; and Mr. Maurice Lloyd, Halifax Harbour Clean-Up Project) outlining the steps necessary (including cost factors) to initiate the extension of water services to Herring Cove in anticipation of the siting of a water treatment plant.

**13. NOTICES OF MOTION**

**13.1 Councillor Hendsbee Re: Halifax Regional School Board (HRSB)**

Councillor Hendsbee gave Notice of Motion that at the next regular meeting of Halifax Regional Council, scheduled for Tuesday, March 2, 1999, he proposes to request that HRM and the Halifax Regional School Board strike a joint staff advisory committee to investigate any and all possibilities for mutual opportunity to make budgetary savings due to cost reductions and discounts via bulk purchasing from various suppliers; investigate



any possible increase in buying power leverage given to preferred customers with higher credit ratings; and possibly to explore opportunities to consolidate and/or integrate procurement procedures and practices; and to investigate any changes of rationalization of any comparable services such as the administration of payroll services, pension plans, insurance premiums, and property and building maintenance; as well as any other types of goods and services that both HRM and the HRSB can save money on.

**13.2 Councillor Kelly Re: Halifax Regional Water Commission**

Councillor Kelly gave Notice of Motion that at the next regular meeting of Halifax Regional Council, scheduled for Tuesday, March 2, 1999, he proposes to introduce a motion requesting staff to prepare a report examining the merits of integrating the Halifax Regional Water Commission as a line department of the Halifax Regional Municipality.

**14. ADJOURNMENT**

**MOVED by Councillor Sarto, seconded by Councillor Adams that the meeting adjourn at approximately 7:15 p.m. THE MOTION WAS PUT AND PASSED UNANIMOUSLY.**

Vi Carmichael  
MUNICIPAL CLERK

