

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES June 16, 1998

PRESENT:

Deputy Mayor Reg Rankin
Councillors: Bill Dooks
David Hendsbee
Ron Cooper
Harry McInroy
Condo Sarto
Bruce Hetherington
Clint Schofield
Jerry Blumenthal
Graham L. Downey
Russell Walker
Ron Hanson
Peter Kelly
Jack Mitchell

REGRETS:

Mayor Walter Fitzgerald
Councillors Gordon R. Snow
Jack Greenough
John Cunningham
Larry Uteck
Bill Stone
Stephen Adams
Barry Barnet
Bob Harvey

STAFF MEMBERS:

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

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1. **INVOCATION**

Deputy Mayor Rankin called the meeting to order at 6:00 p.m. with the Invocation.

2. **PROCLAMATIONS**

2.1 **1998 National Aboriginal Day (June 21)**

Deputy Mayor Rankin proclaimed June 21 as 1998 National Aboriginal Day.

2.2 **Pride Week (June 22 - 28)**

Deputy Mayor Rankin proclaimed the week of June 22-28 as Pride Week.

2.3 **Seniors' Week (June 14 - 20)**

Deputy Mayor Rankin proclaimed the week of June 14 - 20 as Seniors' Week.

ACKNOWLEDGEMENT

At this point in the meeting, Deputy Mayor Rankin acknowledged the presence in the gallery of Councillor-Elect Sheila Fougere, District 14. The Deputy Mayor extended congratulations to Councillor-Elect Fougere, noting she will be sworn in at the June 30 Regional Council session.

Later in the meeting, Councillor Kelly acknowledged the presence in the gallery of the Grade 7 class of Bedford Junior High School recognizing their expression of interest and participation in the municipal government process.

3. **APPROVAL OF MINUTES - May 19, 26 and June 1, 1998**

In review of the May 19 Regional Council Special Session minutes, Councillor McInroy requested that the record indicate his opposition to the construction of the new Central Library. The Councillor noted the recorded vote indicates that he voted against the amendment, which he clarified he did so in error. Councillor McInroy noted his comments during the debate indicate he was not in support of the new library.

MOVED by Councillors Hetherington and Blumenthal that the Minutes of May 19, 26 and June 1, 1998 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were requested to be added to the agenda.

- 13.1 Resolution - Airport Authority Transfer
- 13.2 Councillor McInroy - Eastern Passage Ratepayers and Parents Presentation
- 13.3 Councillor Kelly - Invitation for Proposals by Maersk
- 13.4 Ratification - In Camera - Legal Matter - Claim Settlement
- 13.5 Council Position - Amalgamated Transit Union Strike
- 13.6 Councillor Cooper - Information Report - Starr/Greenville Site, Dartmouth

MOVED by Councillors Hetherington and Downey that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

At this point in the meeting, Council agreed to deal with Item 13.5 Council Position - Amalgamated Transit Union Strike.

13.5 Council Position - Amalgamated Transit Union Strike

Mr. Ken Meech, Chief Administrative Officer, noted Council dealt with this item earlier during the In Camera Session. As a result of this meeting, a Press Release was issued regarding Councils' position, which the Municipal Clerk read into the record.

5. BUSINESS ARISING OUT OF THE MINUTES - None

6. PUBLIC HEARINGS

6.1 Case 7465: Development Agreement Application to Permit a Lounge in the Existing Building at 9564 Highway 3, Queensland

- A staff report prepared for the North West Planning Advisory Committee dated April 6, 1998, regarding the above, was before Council for consideration.
- A report prepared for Helen Matheson, Chair, North West Planning Advisory Committee dated May 11, 1998, was before Council for consideration.
- Correspondence from Anna Voytek-Umlah, opposing the application, was before Council for consideration. Correspondence from Ethel Jollimore, Carol and Douglas Floyd, and Joan Reardon, supporting the application, was before Council for consideration.

With the use of overheads, Mr. Gary Porter, Planner, presented the staff report.

In response to a question from Councillor Kelly regarding the applicant exceeding the allowable limits by already building the roof, Mr. Porter stated the Building Inspector has been to the site and issued a stop work order. If the application is not approved, the matter will be raised with the Building Inspector and Legal Services, and the appropriate action taken.

Responding to questions from Councillor Sarto, Mr. Porter stated the building has some non-conforming status with respect to certain aspects of it. However, changes to the building would be required to meet the present day standards.

In response to a question from Councillor Mitchell, Mr. Porter advised there is a parking lot next to Queensland Beach and belongs to the Department of Natural Resources and is intended for the beach users. However, people using the beach also frequent Moore's Landing. Mr. Mitchell noted the roof on the water side of the building replaced a canopy that was previously there and is needed for protection from the weather.

Responding to a question from Councillor Cooper, Mr. Porter stated on site parking would be required if this was a new development. However, since the internal square footage of the building is not increasing, additional parking is not required at this time.

Deputy Mayor Rankin called for members of the public wishing to speak in favour of the application.

Ms. Michelle Moore, Sackville

Ms. Moore, wife of the applicant, spoke in support of the proposal making the following points:

- The purpose of the application is to help increase business during the evenings.
- Beach traffic decreases in the late afternoon and there is more than ample parking in the area.
- There has never been a problem with the washrooms and the holding tank is pumped on demand.

Responding to a question from Councillor Blumenthal regarding VLTs, Ms. Moore stated their business is very weather dependent and the VLTs would provide an alternative income for the business and an alternative activity for patrons.

Mr. Robert Kennedy, 9853 St. Margarets Bay Road

Mr. Kennedy spoke in support of the application, making the following comments:

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- The applicant has improved the surrounding area and created employment.
- The canteen used to be a general store in the early 1900s.

Deputy Mayor Rankin called three times for additional speakers in favour of the application. No one came forward.

The Deputy Mayor called for speakers against the application.

Mr. Patrick MacKenzie, 9567 St. Margarets Bay Road

Mr. MacKenzie spoke against the application, making the following comments:

- The light from Moore's Landing shines into his house in the evenings.
- The establishment is located on a very dangerous turn in the road.
- He suspects approval of this application will result in more vandalism in the area, including the beach.
- Mr. MacKenzie expressed concern with the holding tank, propane tanks, VLTs and increased noise in the neighbourhood.

Ms. Linda Wordsworth, 9525 Bay Road

Ms. Wordsworth spoke against the application, making the following comments:

- Queensland Beach is very popular with young adults and approval of the application would create easier access to alcohol for this group of people which would be a disservice in terms of driving and potential accidents.
- The Planning Department has recommended against further development of this small property.
- Ms. Wordsworth expressed concern with the handling of the gray water, lack of parking and the boundaries of the property.

Mr. Dan Clarke, 482 Purcell's Cove Road

Mr. Clarke spoke against the proposal, making the following points:

- This application is about VLTs and the dollars attached thereto.

- The staff report expresses negativity towards the application in terms of increased traffic, hazardous conditions, undersized lot, no parking and inadequate water and sewage supply.
- Queensland Beach is recognized as a prime beach in Nova Scotia and is the wrong location for a VLT operation or a full drinking establishment.
- Council has an obligation to keep this beach and area protected, as it has been in the past, for the enjoyment of its patrons.

Aileen McCormick, 105 Viewmount Drive

Ms. McCormick, as a member of the North West Planning Advisory Committee, spoke against the proposal, making the following comments:

- The North West Planning Advisory Committee discussed and rejected this application.
- The canopy which was replaced with a permanent roof was only a temporary roof prior to its replacement.
- The application is premature.
- The beach is used in the evening by young adults and approving this application may encourage a dangerous situation.
- The Department of Natural Resources does not want its parking lot used for patrons of Moore's Landing.
- Ms. McCormick expressed concern with the water supply.

Deputy Mayor Rankin called three times for additional speakers against the application. No one came forward. The applicant was offered the opportunity for a five minute rebuttal.

Mr. David Moore, Applicant

Mr. Moore made the following comments during his rebuttal:

- The roof was torn down in 1996 as a result of damage caused by Hurricane Hugo, and replaced with a more heavy duty structure of the same size that will withstand hurricane force. Construction was completed without a permit due to the water damage being caused to the building.
- The establishment does not have a saloon environment, and caters to the "baby boomer" generation.
- There is an adequate water supply to the building.
- Parking problems are not contingent on the operation of his business.

- Waterfront businesses in downtown Halifax are not required to provide parking for their patrons.
- The operation will only be seasonal.
- The building is structured so noise emits over the water.

In response to a question from Councillor Hendsbee regarding VLTs, Mr. Moore stated his policy with respect to VLTs is that no employees will use the machines, and there will be limitations for patron use.

Responding to a question from Councillor Hendsbee regarding concerns expressed by various provincial departments with respect to the application, Mr. Porter stated he assumes these concerns would be taken under advisement in the consideration of a liquor license. Mr. Porter noted he was advised that any conditions Council put on the approval of the application, would also be included in any approval the Province may grant, such as hours of operation.

Councillor Mitchell noted he did not receive any calls opposing this application.

Responding to a question from Councillor Cooper regarding entertainment, Mr. Moore stated at present there is a karaoke operation run on weekends; however, there is no live entertainment in terms of bands.

MOVED by Councillors Blumenthal and Schofield that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

In response to a question from Councillor Sarto regarding hours of operation, Mr. Porter stated the applicant was not willing to limit the operation to the current four summer months. The only aspect in the agreement is with respect to the daily hours of operation.

Councillor Hendsbee noted Council received three letters in support of the application and one letter in opposition.

MOVED by Councillors Mitchell and Hendsbee that Council approve Case 7645 - Development Agreement Application to permit a lounge in the existing building at 9564 Highway 3, Queensland.

Councillors Blumenthal, Cooper and Sarto spoke against the motion, making the following points:

- Concern with alcohol and VLTs

- All the concerns brought forward have a collective impact on the area beyond what should be permitted.
- The application has a number of deficiencies.

Councillor Hendsbee spoke in support of the application stating it is an opportunity for an economic initiative in that area. The Councillor requested a comment from the applicant with respect to a seasonal operation. Deputy Mayor Rankin advised the Public Hearing is on the proposal as it stands. However, Council may impose restrictions with respect to months of operation, if it believes this is appropriate.

Councillor McInroy spoke against the motion, stating the proposed development agreement would overburden this piece of land.

Councillor Kelly requested a Recorded Vote. (2 in favour, 12 against)

Members of Council voting in favour of the motion: Councillors Hendsbee and Mitchell.

Members of Council voting against the motion: Deputy Mayor Rankin, Councillors Dooks, Cooper, McInroy, Sarto, Hetherington, Schofield, Blumenthal, Downey, Walker, Hanson and Kelly.

MOTION DEFEATED.

At this point in the meeting, Councillor Hetherington requested that Item 11.1.1 Petition - be moved up on the agenda to follow the Public Hearings. Council agreed.

6.2 Case 7638: Development Agreement Application from Thomas and Anthoula Themelis - 1079 Queen Street

- A staff report prepared for Planning Services, regarding the above, was before Council for consideration.
- A staff report prepared to the Peninsula Planning Advisory Committee, dated March 5, 1998, was before Council for consideration.

With the use of overheads, Mr. Gary Porter, Planner, presented the staff report, noting staff's recommendation is for approval of the application.

Deputy Mayor Rankin called three times for members of the public wishing to speak in favour of the application. No one came forward.

Deputy Mayor Rankin called for members of the public wishing to speak against the application.

Ms. Beverley Miller

Ms. Miller stated she was speaking on behalf of Mr. Hugh Pullen, President, Peninsula South Community Association, who was unable to attend. Ms. Miller stated the Association opposes this application, questioning whether or not the buildings were converted to the R2A zone before or after the subdivision took place. Ms. Miller raised concerns about Implementation Policy 4.6 (b) in Appendix B of the March 5, 1998 staff report, stating this lot modification has been created by the owner of the lot. With respect to landscaped open space, Ms. Miller stated this development requires between 1300-1400 square feet, and she was unable to find reference to this in the proposal. Ms. Miller noted the houses on Victoria Road are still zoned R2A which requires parking, and there is none.

Deputy Mayor Rankin called three times for additional speakers. No one came forward.

MOVED by Councillors Hetherington and Downey that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Downey and Blumenthal that Halifax Regional Council approve the development agreement (lot modification), attached as Appendix "E" of the staff report dated March 5, 1998, to permit construction of a 24 unit apartment building with one commercial space, at 1079 Queen Street, Halifax; and, that Council requires the development agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later, otherwise this approval will be void and obligations arising hereunder shall be at an end.

In response to a question from Councillor Kelly with respect to R2A zoning and parking requirements, Mr. Porter stated parking is required under certain circumstances in R2A zoning, depending on the size of the unit. In the case of converted buildings, with no additions, there is no parking requirement. Therefore, the buildings on Victoria Road, do not require parking.

Responding to a question from Councillor Cooper regarding parking for the proposed apartment building, Mr. Porter stated there are sixteen parking spaces which meets the requirements for a RC3 zoning for the 24 unit building.

MOTION PUT AND PASSED UNANIMOUSLY.

6.3 Application 7642: Non-substantial Amendment to the Existing Development Agreement to Permit a Home Business at 285 Charles Road, Glengarry Estates

- A report from the North West Planning Advisory Committee, regarding the above, was before Council for consideration.

Mr. Gary Porter, Planner, presented the staff report which recommended approval of the application.

In response to a question from Councillor Hendsbee regarding signage, Mr. Porter stated it was the applicant's choice not to have a sign.

Deputy Mayor Rankin called for members of the public wishing to speak in favour of the application.

Ms. Marlene Hawley, Applicant

Ms. Hawley spoke in support of the application, stating she intends to operate the business one to one and one-half days per week, and has no plans for advertising. Responding to a question from Councillor Hendsbee regarding signage, Ms. Hawley stated she does not believe a sign is required.

Deputy Mayor Rankin called three times for additional speakers in favour of the application. No one came forward.

Deputy Mayor Rankin called three times for speakers against the application. No one came forward.

MOVED by Councillors Blumenthal and Hetherington that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Hetherington and Sarto that Council approve the amending agreement presented as Appendix B of the staff report dated April 20, 1998, to permit a home business (hair salon) at 285 Charles Road. MOTION PUT AND PASSED UNANIMOUSLY.

7. MOTIONS OF RECONSIDERATION

This item was dealt with later in the meeting.

8. MOTIONS OF RESCISSION - NONE

This item was dealt with later in the meeting.

9. CONSIDERATION OF DEFERRED BUSINESS

This item was dealt with later in the meeting.

10. REPORTS

This item was dealt with later in the meeting.

11. CORRESPONDENCE, PETITIONS

11.1 Petition

11.1.1 Changes to Boundaries - Dolly Williams, East Preston Ratepayers Association

- A petition from residents and/or property owners of East Preston regarding changes to boundaries of East Preston, was before Council for consideration.

Ms. Dolly Williams, President, East Preston Ratepayers Association, made a presentation to Council regarding community boundary identification. In her presentation, Ms. Williams stated the residents and/or property owners of East Preston demand that the eastern boundary line for the Community of East Preston include the property with frontage on the Eastern side of Mineville Road from 107 to #7 Highway, Bell St., Walker St. Further, that Bell Park Academic Centre and those properties in back of the School which are not developed, and eastward to Martin Lake also be included with the Boundaries of East Preston.

Ms. Williams expressed concern with the lack of input sought from the community with regards to this issue. For the benefit of Council, Ms. Williams gave a brief history of the Community of East Preston. Ms. Williams stated the boundary was changed due to a petition with 132 signatures stating that they wished to be identified as residents of Lake Echo and not East Preston. However, Ms. Williams noted the petition submitted by the East Preston Ratepayers Association has 375 names of residents of East Preston wanting the boundary reinstated. In closing, Ms. Williams requested Council to overturn the change in boundary and to treat the residents of the community with respect and dignity.

Responding to a question from Councillor Schofield, Ms. Williams replied in the 1700s the Preston Township extended from Dartmouth to Musquodoboit. Over the years, it continually closed in.

Mr. Ken Meech, Chief Administrative Officer, suggested the petition and issue could be referred to staff of Priority and Policy for a report.

In response to a question from Councillor Cooper, Ms. Williams stated the boundaries have never been changed in the past without the opportunity for a vote of the community.

In response to comments made by Ms. Williams, Councillor Hendsbee stated this matter has been before Council in the past, and he has conducted community consultation and meetings regarding this issue. The Councillor noted there have been problems in other Districts with the 911 and Canada Post civic addressing changes to the identity of community boundaries.

Councillor Hendsbee stated he can provide information to staff regarding this matter.

MOVED by Councillors Schofield and Blumenthal that this matter be referred to Priority and Policy staff for a report.

Responding to a question from Councillor Cooper regarding the time frame for the report, Mr. Meech replied it will depend on how much background information is required; but, staff will attempt to provide the report for the July 14 meeting, if possible.

MOTION PUT AND PASSED UNANIMOUSLY.

RECESS

A ten minute recess was taken at 8:15 p.m. The meeting reconvened at 8:25 p.m.

7. **MOTIONS OF RECONSIDERATION - NONE**

8. **MOTIONS OF RESCISSION - NONE**

9. **CONSIDERATION OF DEFERRED BUSINESS**

9.1 **Council Decision on Second Reading of By-Law D-100 Respecting Dogs**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above was before Council for consider. The report recommendation was as follows:
 1. The proposed Dog By-Law D-100 be amended as set out in the list of amendments attached to the staff report dated June 11, 1998.
 2. That Second Reading be given to Dog By-Law D-100 (Version H).
- Correspondence from Susan Gowen regarding the above was circulated to Council.

MOVED by Councillors Hendsbee and Hetherington that this matter be deferred to June 30, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10. REPORTS

10.1 MEMBERS OF COUNCIL

10.1.1 Councillor Schofield - Crosswalk and Street Line Markings

- A memorandum from Councillor Schofield regarding the above, was before Council for consideration.

Councillor Schofield stated last year there were many crossings not marked properly in his District. However, in the last week and a half many have been done. However, the Councillor stated he was very concerned with the markings in his District, and stated he hopes they will all be remarked this year. Councillor Schofield requested assurance from staff that all markings will be done this year. Mr. Meech replied staff will follow up on this matter and report back to the Councillor.

10.1.2 Councillor Schofield - Halifax/Dartmouth Natal Day Parade Float

- A memorandum from Councillor Schofield regarding the above, was before Council for consideration.

Councillor Schofield noted he is a member of the Halifax/Dartmouth Natal Day Committee, and stated the Committee was advised, at its last meeting, there would not be an HRM float in the parades this year. The Councillor expressed concern with this, and asked that staff confirm whether or not this is the case. Mr. Meech stated staff can look into this matter and report back to Council.

Councillor Schofield encouraged Councillors and their families to attend the Natal Day parade at the reviewing stand. Councillor Hendsbee noted there are 200 communities in HRM that have civic holidays on that weekend and many Councillors attend events in their Districts during that time.

10.2 COMMITTEE OF THE WHOLE - Meeting of June 1, 1998

10.2.1 Report from North West Planning Advisory Committee - Case 7595 - Plan Amendment Request for the St. Margarets Bay Plan Area

MOVED by Councillors Walker and Hanson, as recommended by Committee of the Whole, that the matter be referred to staff to bring back an alternative to rezone the properties of Mr. David Morash and Mr. William Jollimore from R-A to MU-1. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.2 By-Law B-300 Respecting Blasting

MOVED by Councillors Sarto and Schofield, as recommended by Committee of the Whole, that the amended By-Law B-300 "By-Law Respecting Blasting" dated May 27, 1998, as attached to the staff report, and with an amendment that the preblast area be extended to 300 meters, at least for wells, be approved for Public Hearing and Second Reading. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.3 Proposal 98-26 - Consultant Award - Bicentennial Highway to Joseph Howe Drive Ramps

MOVED by Councillors Walker and Blumenthal, as recommended by Committee of the Whole, that Council approve the appointment of O'Halloran Campbell Consultants Limited for the redesign of ramps to connect the Bicentennial Highway to Joseph Howe Drive at an estimated cost of \$80,000.00, including HST, with funding approved as per the Budget Implications of the staff report dated May 26, 1998. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.4 Nova Scotia Coastal Water Trail

MOVED by Councillors Downey and Hetherington, as recommended by Committee of the Whole, that Council support the Nova Scotia Coastal Water Trail Pilot Project in principle and to have staff offer professional in-kind services in the amount of \$5,000 to the planning phase of the project. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.5 Province of Newfoundland Public Service Pension Plan Reciprocal Agreement

MOVED by Councillors McInroy and Blumenthal, as recommended by Committee of the Whole, that Council approve the entering into the Reciprocal Transfer

Agreement attached as Appendix "A" of the staff report dated May 27, 1998, between the Halifax County Municipality Full Time Retirement Pension Plan and the Province of Newfoundland Public Service Pension Plan. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.6 Cost of Living Increase to Pensioners, Halifax County Municipality Full Time Retirement Pension Plan ("The Plan")

MOVED by Councillors Cooper and McInroy, as recommended by Committee of the Whole, that Council approve a .70% COLA increase to pensioners of the Halifax County Municipality Full Time Retirement Pension Plan effective January 1, 1998. It is also staff's recommendation that any approval of further increases beyond 1998 be delayed until the implementation of the New HRM Pension Plan and the extent of surpluses in then existing plans is determined. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.7 Excess Interest Indexing - Metropolitan Authority Pensioners

MOVED by Councillors Sarto and Hetherington, as recommended by Committee of the Whole, that pensions being paid by the Metro Authority Employees' Pension Plan as at January 1, 1998 be increased by .70 percent, effective January 1, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.8 Federation of Cooperative Housing Proposal: Sector Management of Cooperative Housing Administration

MOVED by Councillors Schofield and Walker, as recommended by Committee of the Whole, that Council not approve the recommendation from Committee of the Whole urging the Provincial Government to commit to the transfer of Co-op Housing to the Nova Scotia Co-operative Housing Federation when it is formed. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.9 Integrated Servicing Study

MOVED by Councillors Cooper and Sarto, as recommended by Committee of the Whole, that Council approve the appointment of Harbour Engineering for carrying out the work as outlined in the proposal call for the Integrated Servicing Study at an estimated cost of \$126,000 plus HST. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.10 Provincial Constable - Business Occupancy By-law T-500 Respecting the Collection of Taxes

MOVED by Councillors Sarto and Blumenthal, as recommended by Committee of the Whole, that:

- 1. Maritime Bailiff Services be appointed to serve warrants for outstanding business occupancy taxes, such appointment to expire on the first meeting of the Council elected in the year 2000. MOTION PUT AND PASSED UNANIMOUSLY.**

At a later point in the meeting, Councillor Sarto presented a Notice of Motion for First Reading of By-Law T-500, Respecting the Collection of Taxes, for June 30, 1998.

10.2.11 Presentation - Effect of Pesticide Spraying

MOVED by Councillors Hetherington and McInroy, as recommended by Committee of the Whole, that the recommendations made by Dr. Roy Fox regarding the effect of pesticide spraying be forwarded to Works and Natural Resources. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.12 Presentation - Termination of Municipal Garbage Collection for Businesses, Institutions and Apartment Buildings

MOVED by Councillors Hanson and Sarto, as recommended by Committee of the Whole, that the termination of municipal garbage collection for businesses in HRM be delayed until the beginning of September 1998.

Councillor Blumenthal suggested all commercial establishments in HRM should be required to pay some tax to provide equality throughout the Region, and asked that this be examined before the termination of municipal service goes into effect.

In response to a question from Councillor Downey, Mr. Mark Bernard, Manager, Solid Waste Division, stated the motion includes all business areas in HRM currently receiving municipal garbage collection.

Councillor Walker inquired about the status of the survey of businesses who currently receive this collection service, but do not pay for it. Mr. Bernard replied the survey is complete, and it is staff's intention to bring forward a report to the next Committee of the Whole meeting. Mr. Bernard stated staff originally anticipated there were approximately 1,000 units involved, and the survey indicates there are about 1,400 units. The cost of extending this service for an additional two months is approximately \$8,800. Mr. Bernard advised the information report will provide these numbers and costs.

Councillor Walker requested information also be included in the report as to what extent these businesses are currently paying taxes for this service, and whether or not staff is contemplating a tax rebate for those who will no longer be receiving this service. The Councillor also requested that the report indicate what savings HRM will receive as a result of this.

Councillor Blumenthal inquired how many businesses outside the urban areas will get free garbage collection and if it is possible for them to pay a nominal fee. In response to a request from Councillor Dooks, Mr. Bernard stated the reason why some of the more rural areas are being included in the collection services is because the frequency of businesses in these areas is such that it is impractical, and in a lot of cases impossible, for them to receive individual collection services. Mr. Bernard advised the number of businesses affected will be included in the report.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3 CHIEF ADMINISTRATIVE OFFICER

10.3.1 Award of Tender 98-354, Street Resurfacing, Central Region

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Walker and McInroy that Council award Tender No. 98-354 to Dexter Construction Company Ltd. for materials and services specified at the unit prices quoted for a Total Tender Price of \$337,870.00 and a Total Project Cost of \$388,550.00 with funding from the Capital Account number noted in the Budget Implications section of the staff report dated June 1, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Award of Tender No. 98-229, Sidewalk Renewals, Halifax

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Blumenthal and Schofield that:

- 1. Council award Tender No. 98-229, Sidewalk Renewals - Halifax to Ocean Contractors Limited for materials and services specified at the unit prices quoted for a Total Tender Price of \$174,227.65 and a Total Project Cost of \$200,362.00, with funding authorized from the Capital Account Nos. Noted in the Budget Implications section of the staff report dated May 28, 1998.**

- 2. Council authorize the transfer of funds in the amount of \$1,717.00 from Capital Account No. 97472, Drummond Court Sidewalk Renewal to Capital Account No. 97468, Barrington Street Sidewalk Renewal. MOTION PUT AND PASSED UNANIMOUSLY.**

10.3.3 Award of Tender No. 98-327 - Main Artery Patching - East Region

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Hetherington and Sarto that Council award Tender #98-327, Main Artery Patching, East Region to LaFarge Canada Inc. at a Tender Price of \$211,657.50 and a Total Project Cost of \$235,000.00 with funding from the Capital Account number noted in the Budget Implications section of the staff report dated June 4, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.4 Award of Tender No. 98-237, RA-5 Overhead Crosswalk Signs

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Downey and Blumenthal that Council award Tender No. 98-237, RA-5 Overhead Crosswalk Signs to G. & R. Kelly Enterprises Ltd. for materials and services specified at the unit prices quoted for a Total Tender Price of \$65,420.63 and a Total Project Cost of \$75,233.00, with funding authorized from the Capital Account No. as noted in the Budget Implications section of the staff report dated June 4, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.5 Award of Tender No. 98-228, Sidewalk Renewals, East Region

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Sarto and Hetherington that:

1. **Council award Tender 98-228, Sidewalk Renewals - East Region to G. & R. Kelly Enterprises Ltd. for materials and services specified at the unit prices quoted for a Total Tender Price of \$59,482.31 and a Total Project Cost of \$68,405.00 with funding authorized from the Capital Account Nos. Noted in the Budget Implications section of the staff report dated June 5, 1998.**
2. **Council authorize the transfer of funds in the amount of \$3, 953.00 from Capital Account No. 97466, Dawson Street Sidewalk Renewal to Capital Account No. 97463, Portland Street Sidewalk Renewal. MOTION PUT AND PASSED UNANIMOUSLY.**

11. CORRESPONDENCE, PETITIONS

11.1 Petition

11.1.1 Changes to Boundaries - Dolly Williams, East Preston Ratepayers Association

This item was dealt with earlier in the meeting.

11.1.2 Councillor Hanson - Residents of the St. Margarets Bay Road Area - Request for a Crosswalk and Sidewalk.

A petition was submitted by Councillor Hanson from approximately 400 residents of the St. Margarets Bay Road Area requesting a crosswalk and sidewalk.

MOVED by Councillors Hanson and Walker that this petition be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.3 Councillor Hetherington - Sportsplex Participants expressing concern regarding parking on Thistle Street

Councillor Hetherington submitted a petition from approximately 200 Sportsplex participants expressing concern regarding parking on Thistle Street in Dartmouth, requesting a no parking zone to relieve congested traffic and safety concerns.

MOVED by Councillors Hetherington and Schofield that the petition be referred to staff for a report back to Councillor Hetherington. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.4 Councillor Hetherington - Residents requesting continued operation of the Dartmouth Heritage Museum

Councillor Hetherington submitted a petition from approximately 80 citizens requesting Council to give serious consideration to saving the Dartmouth Heritage Museum.

MOVED by Councillors Hetherington and Cooper that the petition be received. MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS - None

13. ADDED ITEMS

13.1 Resolution - Airport Authority Transfer

MOVED by Councillors Blumenthal and Hetherington that:

WHEREAS negotiations on the transfer of Halifax International Airport to the local community is one of the most important issues facing this region in 1998; and,

WHEREAS Halifax International Airport is the hub of Atlantic Canada's air transport system, generating \$1.3 billion for the local economy and employing 9,500 Nova Scotians; and,

WHEREAS Halifax International Airport is the last major airport in Canada to be transferred to the community under the National Airport Policy and the only international airport not to be modernized by the federal government prior to transfer; and,

WHEREAS if the Federal Government continues to abdicate its responsibility to this community, citizens of HRM will be saddled with the cost of upgrading the airport to an acceptable standard.

THEREFORE BE IT RESOLVED that Councillors of Halifax Regional Municipality send a strong unified message to politicians in Ottawa that this community needs fairness in the transfer of Halifax International Airport, namely that lease terms allow for a financially viable, modern airport facility which serves the community and enhances regional economic development. MOTION PUT AND PASSED UNANIMOUSLY.

Mr. Meech noted Mr. Bernie Miller, Chairman, Airport Authority, will be present at the next Committee of the Whole meeting to give a more detailed update.

13.2 Councillor McInroy - Eastern Passage Ratepayers and Parents Presentation

Councillor McInroy requested Council's support in assisting Eastern Passage Ratepayers and Parents to obtain an opportunity to appear before the Halifax Regional School Board. The Councillor noted the group has been unsuccessful in previous attempts to arrange this presentation.

MOVED by Councillors McInroy and Cooper that a letter be faxed to the Chair of the Halifax Regional School Board, asking the Board to reconsider its current position, with respect to the request from a group of Eastern Passage parents and ratepayers to arrange a presentation to the School Board, and to allow this group an opportunity to speak to the Board. MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Councillor Kelly - Invitation for Proposals by Maersk

Councillor Kelly made the following request to Council with respect to an Invitation for Proposals by Maersk Sealand:

- Council take a lead role in establishing a management response committee to the Maersk Sealand invitational proposal.
- The committee structure consist of an HRM senior staff at the Deputy CAO level, the Chair of the Ports Corporation, the Chair of the Ports Authority, the Deputy Minister of Economic Renewal, the Deputy Minister of Transportation, the Chair of the Metropolitan Area Chamber of Commerce, Senior staff members of CNR, the Chair of the Greater Halifax Partnership, the President of the Stevedores Union or the Longshore Association, and any other regulatory or jurisdictional bodies as required.
- The mandate of the committee be to ensure that HRM works in concert with the Halifax Ports Corporation and its related community partners to bring about a successful proposal response or responses, and to ensure the proposal response process is clearly laid out and the rules clearly defined, and to further ensure that the process is complete, full, open and fair.

Mr. Meech noted there already is a group established, under the leadership of the Port Corporation, who are pursuing the development of a proposal with the participation of HRM, the Province, International Longshoremen Association, and the Halifax Dartmouth Port Commission. Mr. Meech noted a more detailed report can be provided next week.

MOVED by Councillors Kelly and Hetherington that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

13.4 Ratification - In Camera - Legal Matter - Claim Settlement

MOVED by Councillors Sarto and Mitchell that the recommendation adopted In Camera be ratified. MOTION PUT AND PASSED UNANIMOUSLY.

13.5 Council Position - Amalgamated Transit Union Strike

This item was dealt with earlier in the meeting.

13.6 Starr/Greenvale Site, Dartmouth

- An information report prepared for Ron Singer, Director, Finance, and Austin French, Team Leader, Real Estate, regarding the above was circulated to Council.

Responding to a question from Councillor Cooper, Mr. Meech clarified that it is understood that the trail system is included within the recreational areas.

MOVED by Councillors Hetherington and Sarto that Council support the steps to be taken as outlined in the staff information report dated June 5, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

14. NOTICES OF MOTION

14.1 Councillor Sarto

TAKE NOTICE that at the next Regular Council of June 30, I intend to introduce a motion for First Reading of By-Law T-500 Respecting the Collection of Taxes.

15. ADJOURNMENT

MOVED by Councillors Hetherington and Blumenthal that the meeting adjourn at 9:10 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk