

# **HALIFAX REGIONAL MUNICIPALITY**

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## **HALIFAX REGIONAL COUNCIL MINUTES May 16, 2000**

**PRESENT:**

Mayor Walter Fitzgerald  
Councillors: Stephen Streach  
Gordon R. Snow  
Keith Colwell  
Ron Cooper  
Harry McInroy  
Jack Greenough  
Condo Sarto  
Bruce Hetherington  
Clint Schofield  
Jerry Blumenthal  
Graham L. Downey  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Bill Stone  
Graham Read  
Stephen D. Adams  
David Merrigan  
Bob Harvey  
Peter Kelly  
Reg Rankin  
Jack Mitchell

**REGRETS:**

Deputy Mayor John Cunningham

**STAFF MEMBERS:**

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

**Table of Contents**

1.	INVOCATION .....	5
	ACKNOWLEDGEMENTS .....	5
2.	PROCLAMATIONS .....	5
2.1	National Public Works Week (May 21 - 27) .....	5
	AWARDS .....	5
i)	Canadian Blood Services .....	5
ii)	Students - Citizenship Awards .....	5
3.	APPROVAL OF MINUTES - NONE .....	7
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS OR DELETIONS .....	7
5.	BUSINESS ARISING FROM THE MINUTES .....	8
6.	MOTIONS OF RECONSIDERATION - NONE .....	8
7.	MOTIONS OF RESCISSION - NONE .....	8
8.	CONSIDERATION OF DEFERRED BUSINESS .....	9
8.1	Additional Crosswalk Guard - Corner of Lacewood, Bayview and Clayton Park Drive (deferred May 9) .....	9
8.2	Report from North West Community Council - 2000/01 District Capital Projects .....	12
9.	PUBLIC HEARINGS .....	13
9.1	Heritage Case H000014: (prev circ Apr. 11/00) .....	13
i)	Registration of Parcel X - Harrison House, Middle Musquodoboit .....	13
ii)	Deregistration of Parcel A .....	13
9.2	Heritage Case H00005: Application by Jim and Elizabeth Trites for Heritage Registration of 2688 Dutch Village Road .....	14
9.3	Second Reading By-Law T-112 Respecting Taxi Rates .....	14
10.	CORRESPONDENCE, PETITIONS & DELETIONS .....	14
10.1	Correspondence .....	14
10.1.1	Resolution - Municipal Leaders' Statement on Climate Change - Federation of Canadian Municipalities .....	14

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10.2	Petitions	16
10.2.1	Councillor Harvey - First Lake Development	16
10.2.2	Councillor Schofield - John Martin Jr. High School Ball Field	16
10.3	Presentations	17
10.3.1	Friends of First Lake:	18
	i) B. Wayne Schnare, Chair	18
10.3.2	Second Lake Regional Park Association	18
	i) David Haley, Chair, and Shane O'Neil	18
11.	REPORTS	21
11.1	NORTH WEST COMMUNITY COUNCIL	21
11.1.1	Second Lake Regional Park	21
11.2	CHIEF ADMINISTRATIVE OFFICER	21
11.2.1	Award of Tender No. 00-235, Street Upgrading, Resurfacing Part II, Western Region	21
11.2.2	Tender #00-045 - Landscape Maintenance, Various Sites, East Region	21
11.2.3	Award of Tender for Traffic Line Paint	22
11.2.4	Award RFP 00-178 for Design Services Police Headquarters Consolidation and Related Activities	22
11.2.5	Temporary Borrowing Resolution	22
11.2.6	Pesticide By-Law Public Hearings	23
11.2.7	Amendment to Administrative Order Number One Motion - Councillor Greenough	23
11.2.8	Administrative Order Number 22 Respecting the Corporate Seal Motion - Councillor Harvey	24
11.2.9	Administrative Order Number 21 Respecting the Appointment of the Taxi and Limousine Inspector Motion - Councillor Cooper	24
11.2.10	Heritage Tourism Strategy	24
11.2.11	P3 Schools - Connections to the Municipality's Sewer	25
11.2.12	Case 00247: Request for Amendments to the Sackville & Planning Districts 14 & 17 (Shubenacadie Lakes) MPS and Land Use By-Laws and the Subdivision By-Law for former Halifax Co. Respecting Lands around First and Second Lakes	25
11.2.13	Intersection Improvements - Fall River Road at Lockview Road	25
11.2.14	District Capital Funds Policy	26
12.	MOTIONS - NONE	26
13.	ADDED ITEMS	26\

13.1 Councillor Uteck - Dog Restrictions in Point Pleasant Park . . . . .	26
13.2 Councillor Rankin - Acquisition of Land Adjacent for Recreational Purposes . . . . .	26
13.3 Councillor Mitchell - Paving for Foxhollow Drive, Tantallon . . . . .	26
13.4 Property Matter - Street Closure - Forest Hills Parkway and Highway #7 and Panavista Drive . . . . .	26
13.5 Property Matter - Sale of 945 Tower Road . . . . .	27
13.6 Property Matter - Repurchase of Parcel Q-1B . . . . .	27
13.7 Property Matter - Sports Field Easement, Scotia Learning Centres . . .	28
13.8 Personnel Matter - Fire Services Contract . . . . .	28
14. NOTICES OF MOTION . . . . .	28
14.1 Councillor Stone - Administrative Order SC-21. . . . .	28
14.2 Councillor Adams - Taxi Wheelbase Measurements . . . . .	28
15. ADJOURNMENT . . . . .	28

1. **INVOCATION**

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

**ACKNOWLEDGEMENTS**

At a later point in the meeting, Mayor Fitzgerald acknowledged the presence in the gallery of Mr. David Hendsbee, MLA, Preston, and Mr. Barry Barnet, MLA, Sackville-Beaver Bank.

2. **PROCLAMATIONS**

2.1 **National Public Works Week (May 21 - 27)**

Mayor Fitzgerald proclaimed the week of May 21 - 27, 2000 as National Public Works Week.

**AWARDS**

i) **Canadian Blood Services**

C An information package from Canadian Blood Services was circulated to Council.

Ms. Sue Smith, Senior Manager, Nova Scotia/PEI, Canadian Blood Services, presented Councillor Peter Kelly with a certificate commemorating his 50<sup>th</sup> blood donation. Ms. Smith also issued a challenge to all HRM Councillors and their Districts for blood or plasma donations during the time period of May 15<sup>th</sup> through 26<sup>th</sup>, as part of the "Holiday Heros Club."

ii) **Students - Citizenship Awards**

The following students were presented with Citizenship Awards by Mayor Fitzgerald and their respective Councillors:

**2000 Citizenship Award Recipients**

*Owen Thompson*

**District #1**

Gaetz Brook Junior High

*Theresa Jahn*

**District #3**

Ross Road Junior High

*Patricia Patten*

**District #2**

George P. Vanier Junior High

**District #4**

Graham Creighton Junior High  
*Edward Turner*

Sir Robert Borden Junior High  
*Alexander Morash*

**District #5**

Astral Drive Junior High School  
*Ashlea Wilmott*

Eastern Passage Junior High  
*Brittany Amirault*

**District #6**

Admiral Westphal  
*Alisha Hill*

Caledonia Junior High School  
*Craig Currie*

**District #7**

Eric Graves Memorial Junior High  
*Sarah Stewart*

**District #8**

Prince Arthur Junior High  
*Patrick O'Neill*

**District #9**

John Martin Junior High  
*Dominique Gravel*

**District #10**

Bicentennial Junior High School  
*Lila Pavey (not present)*

Ellenvale Junior High  
*Neal Peacocke*

**District #11**

Highland Park Junior High

*Shane J. Colley*

**District #12**

St. Patrick's-Alexandra Junior  
High School  
*Dakota Clayton*

**District #13**

Gorsebrook Junior High  
*Maggie Bezanson*

**District #14**

Oxford School  
*Kevin Purchase*

Cornwallis Junior High  
*Mary Fay Coady*

**District #15**

Clayton Park Junior High  
*Ishita Siddiq*

Fairview Junior High School  
*Angeline Armstrong*

**District #17**

St. Agnes Junior High School  
*Pam MacDonald*

Cunard Junior High School  
*Laura Kelly*

**District #18**

B.C. Silver Junior High  
*Jacquelynn Vallis*

Herring Cove  
*Laura Martin*

Elizabeth Sutherland Junior High

*Joan Marshall*

**District #19**

A.J. Smeltzer Junior High  
*Kristina Landry*

Leslie Thomas Junior High  
*Mat Whynott*

Sackville Heights Junior High School  
*Chantal Costard*

**District #20**

Cavalier Drive Elementary Junior High  
*Leah Richard*

**District #21**

Bedford Junior High School  
*Monica Ward*

Bedford South School  
*Dina Hasan*

**District #22**

Ridgecliff Middle School  
*Michael Cashen*

**District #23**

Tantallon Junior High  
*Jessica Chapman*

Brookside Junior High School  
*Natalie Purcell*

**RECESS**

A 20 minute recess was taken at this time to provide the families with an opportunity to take photographs of the students with members of Council. The meeting reconvened at 7:40 p.m.

**3. APPROVAL OF MINUTES - NONE**

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

The following items were added to the agenda:

- 13.1 Councillor Uteck - Dog Restrictions in Point Pleasant Park
- 13.2 Councillor Rankin - Acquisition of Land Adjacent for Recreational Purposes
- 13.3 Councillor Mitchell - Paving for Foxhollow Drive, Tantallon
- 13.4 Property Matter - Street Closure - Forest Hills Parkway and Highway #7 and Panavista Drive

- 13.5 Property Matter - Sale of 945 Tower Road
- 13.6 Property Matter - Repurchase of Parcel Q-1B
- 13.7 Property Matter - Sports Field Easement, Scotia Learning Centres
- 13.8 Personnel Matter - Fire Services Contract

The following Information Item was also added to the agenda:

- 1. Memorandum from HRM 911 Manager dated May 11, 2000 re: 911 System in the Beaver Bank/Kinsac Fire Protection Area

Council agreed to deal with these items together in the following order, as they all related to the same issue:

**Item 11.2.12** Case 00247: Request for amendments to the Sackville & Planning Districts 14 & 17 (Shubenacadie Lakes) MPS and Land Use By-Laws and the Subdivision By-Law for former Halifax Co. Respecting Lands around First and Second Lakes

**Item 11.1.1** Second Lake Regional Park

**Item 10.3.1** Friends of First Lake:  
i) B. Wayne Schnare, Chair

**Item 10.3.2** Second Lake Regional Park Association:  
i) David Haley, Chair, and Shane O'Neil

It was agreed to move Item 11.2.14 District Capital Funds Policy up to precede Item 8.2 Report from North West Community Council - 2000/01 District Capital Projects, and to move Item 13.8 Fire Services Contract up to follow Item 7 - Motions of Rescission.

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

**5. BUSINESS ARISING FROM THE MINUTES**

**6. MOTIONS OF RECONSIDERATION - NONE**

**7. MOTIONS OF RESCISSION - NONE**

As agreed to during the Approval of the Order of Business, Item 13.8 Fire Services Contract was addressed at this point in the meeting.

**13.8 Fire Services Contract**

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

**MOVED by Councillors Hetherington and Blumenthal that Halifax Regional Council ratify the four year contract (effective June 1, 2000) with the International Firefighters Association, as presented to Council during the May 16, 2000 In Camera Session. MOTION PUT AND PASSED.**

Mr. Ken Meech, Chief Administrative Officer, stated this contract was negotiated in a reasonably short period of time and is "win-win" situation for both sides. The percentage salary increase over the life of the four year contract is approximately 13.7 percent, which is in line with the most recent contract negotiated with the Police Association.

Mayor Fitzgerald expressed thanks to the negotiators for both sides.

In response to a question of Councillor Walker, Mr. Meech stated a copy of the agreement will be made available to any Council members, if they so wish. There will also be an official signing ceremony.

Mr. Meech commended the negotiating teams for both sides, as well as staff of Human Resources, for their work and efforts in reaching this agreement.

**8. CONSIDERATION OF DEFERRED BUSINESS**

**8.1 Additional Crosswalk Guard - Corner of Lacewood, Bayview and Clayton Park Drive (deferred May 9)**

- C A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was previously circulated on May 9, 2000. The report recommended that an additional crosswalk guard not be added at the Lacewood, Bayview and Clayton Park Drive intersection.

Councillor Walker requested that Inspector David Murphy, HRM Police Services, meet with the PTA of this area, as they have raised some concerns regarding this intersection that they would like to discuss with the Inspector. The Councillor stated, if it is determined that an additional crosswalk guard is necessary, the matter will be brought back to Council. It was agreed that Councillor Walker will work with Inspector Murphy to arrange this meeting with the PTA.

As agreed to during the Approval of the Order of Business, Item 11.2.14 District Capital Grant Policy, was addressed at this point in the meeting.

**11.2.14 District Capital Fund Policy**

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

Ms. Dale MacLennan, Director, Financial Services, presented the report to Council.

In response to a question of Councillor Sarto, Ms. MacLennan stated the policy recognizes that the District Capital Funds have already been approved by Council through the Capital Budget process, so there is no requirement for it to come back to Council. However, staff will be including a report of these expenditures in the quarterly reports. Councillor Sarto stated he supported the policy.

Councillor Stone expressed concern with the statement in the report that district capital funds no longer be carried forward from year to year. The Councillor stated there are many reasons why capital projects may not be completed in one year, and if the funding cannot be carried forward, it will be lost. Councillor Stone stated he would like this part of the policy deleted. In response, Ms. MacLennan stated if the funding is committed for a specific purpose, the policy allows for reasonable flexibility to carry it forward for 2-3 years. Councillor Stone stated if a specific project, which has committed funding, does not proceed, he would like to have the ability to allot the funding to a different project in the area. Ms. MacLennan stated if there is a delay in completing a project, staff will work with the respective Councillor to carry the funding forward to the following year.

Ms. MacLennan noted staff is suggesting that this policy be effective 2000-2001 and not be retroactive. Remaining funds from the previous years will automatically be carried forward.

Mr. Meech stated the intent of the policy is to ensure that the funding is used for appropriate public purposes, and staff will work with Councillors to redirect funding, if necessary.

Councillor Schofield agreed with Councillor Stone that there is no need in the policy for the statement regarding district capital funds not being carried forward.

Responding to a question of Councillor Streach regarding granting district capital funding to non-HRM owned facilities, such as a community hall, Ms. MacLennan stated the Municipal Government Act does not specify that the funds have to be spent on municipally owned facilities. Mr. Wayne Anstey, Municipal Solicitor, stated it is possible to spend municipal money to support facilities or services that are, in fact, delivered by

a local group for the benefit of the community. With respect to school playgrounds, Mr. Anstey stated each individual situation would need to be examined, but generally speaking, they would also be eligible.

Councillor Cooper expressed concern with “services and administrative purposes” in the criteria for district capital funding. The Councillor stated services may fall under the operational category, and this was not the intent for capital expenditures. In response, Ms. MacLennan stated staff will be referring to the Housing and Municipal Affairs Reporting Manual and the Public Sector Accounting Standards for guidance when assessing the capital nature of a project. In closing, Councillor Cooper stated staff should take a serious look at the scope of what can be done under this section of the policy.

Councillor Greenough spoke in support of the policy, but suggested the following could be added to the clause regarding the carry over of funds: *specifically, if a project meets the criteria to be funded through the district capital allocation fund, it may be phased over a two or three year period.*

Councillor Read also addressed the inclusion of the statement regarding no carry over of funds, and agreed with some of the other Councillors that it should be removed. The Councillor expressed more concern with spending the money for the sake of spending it, rather than with carrying funding over from one year to the next. Ms. MacLennan stated it is anticipated that the good communication and support that is intended with this policy will eliminate this concern.

Councillor Colwell spoke in support of the policy, stating he requests matching funds from the community for projects to maximize the use of these funds. In response to concerns expressed by Councillor Colwell regarding past spending of capital and discretionary funding, it was agreed that staff can provide the Councillor with information regarding expenditures of these funds.

Councillor Snow spoke in support of the policy. In response to a question of the Councillor, Ms. MacLennan stated if the payment is to be made to an outside organization, a letter from the organization should be attached providing details of the intended use of the funds.

(Mayor Fitzgerald left the meeting at 7:15 p.m. and Acting Deputy Mayor Rankin assumed the Chair.)

Councillor McInroy expressed concern with the wording of the policy, in particular the three bulleted items on Page 3. The Councillor suggested the word “which” be added to the end of the first bulleted item, and the phrase “and which” be added to the end of the second bulleted item. In response, Ms. MacLennan stated this wording change would not take away from the intent of the policy.

Councillor Mitchell spoke in support of the policy stating it provides for flexibility.

Councillor Uteck expressed concern with the spending of the district capital funds during an election year, and suggested there should be a cap placed on the amount the current Councillor can spend during an election year. The Councillor questioned the district capital fund policy as a whole, and stated every time a Councillor approves a project, staff is being overridden.

(Mayor Fitzgerald returned to the meeting at 7:25 p.m. and assumed the Chair.)

Councillor Blumenthal spoke in support of carrying funding over for specific larger scale projects, such as the Hydrostone Park.

**MOVED by Councillors Read and Hetherington that Council adopt the amended District Capital Funds Policy as described in the staff report dated May 2, 2000.**

Councillor Read put forth the following amendment with respect to the carry over of funds:

**MOVED by Councillors Read and Stone that the policy be amended by deleting the following: *District capital funds will not carry forward from year to year unless committed for a specific purpose.***

The vote was taken on the amendment.

**MOTION PUT AND DEFEATED.**

The vote was then taken on the Main Motion.

**MOTION PUT AND PASSED.**

Based on the approval of this policy, it was agreed that the District 12 Capital Fund requests from Councillor Downey discussed at the May 2, 2000 Council meeting would now be incorporated into this policy and a further report to Council is not necessary.

With respect to Councillor Uteck's concern regarding spending during an election year, Mr. Meech stated this may be an issue for the Program and Service Review Committee to examine. It was agreed to leave the matter with staff.

**8.2 Report from North West Community Council - 2000/01 District Capital Projects**

- C A report from the North West Community Council, regarding the above, was previously circulated on May 9, 2000.

Based on the approval of the District Capital Funds Policy, it was agreed that the following items will now be forwarded to staff to ensure they meet the criteria and then to be processed:

District 19 - Councillor Merrigan:

C	Sackville Lions Club (Shed)	\$ 2,000
C	Sackville Lioness Tables	\$ 1,000
C	Community Beautification Project	<u>\$ 5,000</u>
		<u>\$ 8,000</u>

District 20 - Councillor Harvey

C	Leslie Thomas Jr. High Park	\$ 3,000
C	Hillside Elementary Playground	\$ 2,000
C	Sackville Heritage Park	\$ 2,000
C	Glen Slauenwhite Vol. Firefighters Park	\$ 2,500
C	Sackville Lions Club (Shed)	\$ 2,000
C	Kinsmen Park Playground	<u>\$ 2,500</u>
		<u>\$14,000</u>

Staff will contact the respective Councillors directly regarding these projects.

**9. PUBLIC HEARINGS**

**9.1 Heritage Case H000014: (prev circ Apr. 11/00)**

- C A report from the Regional Heritage Advisory Committee, regarding the above, was previously circulated to Council on April 11, 2000.

**i) Registration of Parcel X - Harrison House, Middle Musquodoboit**

Mr. Kevin Barrett, Planner, presented the Heritage Advisory Committee report, noting a Public Hearing was not required to consider heritage registration of a property, but the owner is to be provided with the opportunity to be heard, if so wished. The property owners did not express an interest in addressing Council regarding this matter.

**MOVED by Councillors Sarto and Snow that Council approve the heritage registration of Parcel X, Harrison House, Middle Musquodoboit, as per the requirements of the Heritage Property Act. MOTION PUT AND PASSED UNANIMOUSLY.**

ii) Deregistration of Parcel A

Mayor Fitzgerald called three times for speakers either in favour of or against the deregistration. Hearing none, the following motion was put on the floor:

**MOVED by Councillors Greenough and Sarto that the Public Hearing be closed.  
MOTION PUT AND PASSED UNANIMOUSLY.**

**COUNCIL DECISION**

**MOVED by Councillors Sarto and Snow that Council approve the deregistration of Parcel A, as shown on Map 1 of the staff report dated March 13, 2000, as per the requirements of the Heritage Property Act. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.2 Heritage Case H00005: Application by Jim and Elizabeth Trites for Heritage Registration of 2688 Dutch Village Road**

C A report from the Regional Heritage Advisory Committee, regarding the above, was previously circulated to Council on April 11, 2000.

Mr. Kevin Barrett, Planner, presented the Heritage Advisory Committee report, and reiterated there is no requirement for a public hearing, but the owner is to be provided the opportunity to speak, if so wished.

Mr. Jim Trites, the property owner, spoke in support of the heritage designation of his property.

**MOVED by Councillors Read and Fougere that Council approve the heritage registration of 2688 Dutch Village Road, as per the requirements of the Heritage Property Act. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.3 Second Reading By-Law T-112 Respecting Taxi Rates (prev circ Apr. 25)**

C A report from the Taxi and Limousine Committee, regarding the above, was previously circulated to Council on April 25, 2000.

C By-Law T-112 Respecting Taxi Rates passed First Reading on April 25, 2000, and was now before Council for Second Reading.

Councillor Steve Adams, Chair, Taxi and Limousine Committee, presented the report.

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

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

**MOVED by Councillors Adams and Cooper that By-Law T-112 Respecting Taxi Rates be given Second Reading. MOTION PUT AND PASSED.**

**10. CORRESPONDENCE, PETITIONS & DELETIONS**

**10.1 Correspondence**

**10.1.1 Resolution - Municipal Leaders' Statement on Climate Change - Federation of Canadian Municipalities**

C Correspondence from John Hachey, Honorary Chair, Partners for Climate Protection (PCP) Program, seeking Council's support for a Municipal Leaders' Statement on Climate Change, was before Council for its consideration.

**MOVED by Councillors Greenough and Sarto that:**

**WHEREAS 1990 to 1999 was the warmest decade of the millennium;**

**WHEREAS a global reduction in emissions of greenhouse gases (GHG) is necessary to slow climate change and reduce the risks to human health, the physical environment, economy and quality of life;**

**WHEREAS the 1998 ice storm cost the City of Montreal \$116 million; Baie Comeau more than \$2.5 million, and the Regional Municipality of Ottawa-Carleton \$6.32 million, while the Red River flood cost Winnipeg \$32.3 million.**

**WHEREAS these weather-related expenses are creating an additional financial burden for municipalities at a time when responsibilities are increasing as a result of devolution.**

**WHEREAS reducing greenhouse gases makes good economic sense. New and improved infrastructure, energy efficiency, building retrofits, water conservation, more effective wastewater treatment and distribution, renewable energy technologies, waste reduction, better fleet management, etc., reduce municipal operating costs and help maintain community services, while having a positive impact on the environment;**

WHEREAS industrialized countries, realizing initial commitments were adequate to protect the Earth's climate system, agreed in December 1997 to the Kyoto Protocol which, if ratified, commits Canada to reducing its greenhouse gas emissions six per cent below 1990 levels between 2008-2012;

WHEREAS in November, national governments will meet in The Hague, Netherlands, to negotiate terms and conditions for ratifying the Kyoto Protocol. It is critical that Canada has the support it needs to conclude negotiations.

WHEREAS mayors and municipal leaders responsible for the well being of communities across Canada urge federal and provincial/territorial governments to make climate protection a priority;

**BE IT RESOLVED THAT the Halifax Regional Municipality endorses this Municipal Leaders' Resolution on Climate Change. MOTION PUT AND PASSED UNANIMOUSLY.**

## **10.2 Petitions**

### **10.2.1 Councillor Harvey - First Lake Development**

Councillor Harvey served a petition containing approximately 80 signatures of residents opposing any commercial development on lands adjoining First Lake that in any way threatens or stresses the quality of the lake or deters from the aesthetic and recreational quality of the shoreline.

### **10.2.2 Councillor Schofield - John Martin Jr. High School Ball Field**

Councillor Schofield served a petition containing approximately 40 signatures of residents requesting that improvements be made to the condition of the John Martin Jr. High School ball field and surrounding area.

As agreed to during the Approval of the Order of Business, Item 11.2.12 was dealt with next on the agenda, followed by Item 11.1.1 and Item 10.3 Presentations.

### **11.2.12 Case 00247: Request for Amendments to the Sackville & Planning Districts 14 & 17 (Shubenacadie Lakes) MPS and Land Use By-Laws and the Subdivision By-Law for former Halifax Co. Respecting Lands around First and Second Lakes**

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

- C Correspondence from Mr. Terry Drisdelle, Coordinator of Land Development, Nova Scotia Department of Housing and Municipal Affairs, dated March 2, 1999, and April 20, 2000, was included in the staff report before Council.

Mr. Angus Schaffenburg, Planner, presented the staff report, stating staff is in support of proceeding with the proposed Plan amendments.

Mr. Terry Drisdelle, Coordinator of Land Development, Nova Scotia Department of Housing and Municipal Affairs, addressed Council regarding this matter and reviewed the information contained in his correspondence which was before Council. Mr. Drisdelle stated the Department of Housing and Municipal Affairs has requested that the servicing boundary in this area be realigned to exclude the 127 acres of Provincially owned land within the servicing boundary around Second Lake, and to include its remaining lands along First Lake Drive.

In closing, Mr. Drisdell stated it is the opinion of the Department of Housing and Municipal Affairs that the development of its remaining 60 acres, for a combination of moderately priced serviced single family lots and parkland, represents the most logical and efficient use of this land.

Responding to a question of Councillor Harvey, Mr. Drisdell stated the request of additional lands for park access and lakeshore protection will be addressed only if the Department is successful in having the servicing boundary modified to enable the development of serviced residential lots as well.

In response to a question of Councillor Schofield, Mr. Drisdell stated if the land is developed for serviced single family lots, there will be an adequate buffer provided along the lake.

Mayor Fitzgerald thanked Mr. Drisdell for his comments.

Council agreed to deal with the other items related to this matter before making any decisions.

#### **11.1.1 Second Lake Regional Park**

- C A report from the North West Community Council, regarding the above, was before Council for its consideration.

With the use of overheads, Mr. Blair Blakeney, Regional Coordinator, Recreation Facilities, presented the North West Community Council report to Council, which recommended the following:

THAT Halifax Regional Municipality seek to acquire the 60 acres on behalf of the community of Sackville and, therefore, that:

1. Halifax Regional Municipality request from Department of Housing its view as to selling the land as it is now, without further involvement with their request for servicing.
2. Halifax Regional Municipality seek the right of first refusal on the land should it be sold.
3. A review of the community's recreational needs, both active and passive, be considered vis-a-vis the 1995 report entitled Implementation Strategy/Plan for Recreation Services in the Beaver Bank/Sackville area.

There were no questions of Council regarding this report.

### **10.3 Presentations**

#### **10.3.1 Friends of First Lake:**

##### **i) B. Wayne Schnare, Chair**

Mr. Wayne Schnare, Chair, Friends of First Lake, made a presentation to Council, making the following points:

- C In the early 1970s, development around First Lake resulted in broken, overflowing and uncleaned berms.
- C A photograph was shown illustrating the brown muddy colour of the lake in the 1970s.
- C The lake is no longer brown and is now a viable recreational facility in the heart of Sackville.
- C The lake already has 23 storm drains, which should be decreased rather than increased.
- C First Lake cannot sustain further development of 150 houses.
- C First Lake is a unique lake as it is spring fed.
- C The bogs are the last remaining filters on the lake. If they are destroyed, the lake will also be destroyed.

In closing, Mr. Schnare stated he hopes some sort of agreement can be reached, and he would prefer that this area not be developed.

Mayor Fitzgerald thanked Mr. Schnare for his presentation.

**10.3.2 Second Lake Regional Park Association**

**i) David Haley, Chair, and Shane O'Neil**

With the use of overheads, Mr. David Haley, Chair, Second Lake Regional Park Association, made a presentation to Council, copies of which were circulated.

In closing, Mr. Haley stated the Second Lake Regional Park Association supports the staff recommendation with respect to the zoning issue and making the Second Lake lands park reserve under the Municipal Planning Strategy.

Mayor Fitzgerald thanked Mr. Haley for his presentation.

Councillor Harvey spoke in support of the North West Community Council recommendation and the staff recommendation, stating both could go forward concurrently.

**MOVED by Councillors Harvey and Merrigan that:**

**Halifax Regional Municipality seek to acquire the 60 acres on behalf of the community of Sackville and, therefore, that:**

- 1. Halifax Regional Municipality request from Department of Housing its view as to selling the land as it is now, without further involvement with their request for servicing.**
- 2. Halifax Regional Municipality seek the right of first refusal on the land should it be sold.**
- 3. A review of the community's recreational needs, both active and passive, be considered vis-a-vis the 1995 report entitled Implementation Strategy/Plan for Recreation Services in the Beaver Bank/Sackville area.**

**Further, that Council:**

- 1. Request staff to initiate the process to consider amending the Sackville and Planning Districts 14 & 17 (Shubenacadie Lakes) Municipal Planning Strategies and Land Use By-Laws, and the Subdivision By-Law for the former Halifax County Municipality to: (a) Designate and zone the Second Lake Regional Park for that purpose; and (b) Adjust the Service Boundary to allow the remaining lands of the Department of Housing and Municipal Affairs to be developed for serviced residential and open space uses; and,**

**2. Public participation be undertaken in accordance with the resolution adopted by Regional Council on February 25, 1997.**

In response to a question of Councillor Schofield regarding the Cobequid Road Cemetery, Councillor Harvey stated the cemetery is fenced and is not part of this land. Councillors Schofield and Greenough spoke in support of the motion.

Councillor Stone requested that the motion be split as he is only in favour of the staff recommendation at this point in time. **Council agreed to split the motion.**

Councillor Colwell spoke in support of the protection of parkland.

Councillor Read spoke in support of the North West Community Council recommendation.

Speaking in support of the motion, Councillor Merrigan stressed the importance of retaining these lakes.

Councillors Sarto and Mitchell spoke in support of the motion.

Closing the debate, Councillor Harvey stated Regional Council and the North West Community Council have motions on record where the servicing boundary would not be altered because the servicing study of Sackville pointed out several millions of dollars worth of work needed on the existing infrastructure downstream on the way to Mill Cove. Councillor Harvey stated the community would like a park built in this area for all of HRM which will take some stress off other municipal parks, and will help spread the recreational facilities around the Municipality.

The vote was then taken on the recommendation of the North West Community Council which read as follows:

**MOVED by Councillors Harvey and Merrigan that:**

**Halifax Regional Municipality seek to acquire the 60 acres on behalf of the community of Sackville and, therefore, that:**

- 1. Halifax Regional Municipality request from Department of Housing its view as to selling the land as it is now, without further involvement with their request for servicing.**
- 2. Halifax Regional Municipality seek the right of first refusal on the land should it be sold.**

3. A review of the community's recreational needs, both active and passive, be considered vis-a-vis the 1995 report entitled Implementation Strategy/Plan for Recreation Services in the Beaver Bank/Sackville area. MOTION PUT AND PASSED.

The vote was then taken on the staff recommendation which read as follows:

**MOVED by Councillors Harvey and Merrigan that Council:**

1. Request staff to initiate the process to consider amending the Sackville and Planning Districts 14 & 17 (Shubenacadie Lakes) Municipal Planning Strategies and Land Use By-Laws, and the Subdivision By-Law for the former Halifax County Municipality to: (a) Designate and zone the Second Lake Regional Park for that purpose; *and \*\* (b) Adjust the Service Boundary to allow the remaining lands of the Department of Housing and Municipal Affairs to be developed for serviced residential and open space uses;*

*\*\* (Part (b) of this motion was subsequently rescinded at the July 16<sup>th</sup>, 2002, Regional Council meeting - See Item 7.2 - July 16, 2002);*  
and,

2. Public participation be undertaken in accordance with the resolution adopted by Regional Council on February 25, 1997. MOTION PUT AND PASSED UNANIMOUSLY.

11. REPORTS

11.1 NORTH WEST COMMUNITY COUNCIL

11.1.1 Second Lake Regional Park

This was addressed earlier in the meeting.

11.2 CHIEF ADMINISTRATIVE OFFICER

11.2.1 Award of Tender No. 00-235, Street Upgrading, Resurfacing Part II, Western Region

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

**MOVED by Councillors Uteck and Fougere that Council award Tender No. 00-235, Street Upgrading, Resurfacing Part II, Western Region to Dexter Construction Company Limited, for materials and services listed at the unit prices quoted for a Tender Price of \$415,150.00 and a Total Project Cost of \$477,423.00, with funding authorized as per the Budget Implications Section of the staff report dated May 8, 2000.**

Councillor Uteck requested that staff re-examine two of the streets. The first being, South Street (Queen to South Park) The Councillor stated the portion from South to Oxford is an ambulance route and needs to be re-paved. With respect to Inglis Street, the Councillor stated she would prefer to have Tower Road to Young Avenue repaved, or Young Avenue to South Bland. It was agreed that staff would look into these requests for the Councillor.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.2 Tender #00-045 - Landscape Maintenance, Various Sites, East Region**

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

**MOVED by Councillors Hetherington and Greenough that Halifax Regional Council authorize the award of Tender #00-045 to the lowest bidder, Teak Tree Enterprises Limited at a cost of \$123,400.00 plus H.S.T.**

Councillor Hetherington requested that Council be provided with a list of locations for this landscape maintenance.

Mr. Stephen King, Manager, Parks and Natural Services, responded to questions of Councillor Adams regarding last year's costs.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.3 Award of Tender for Traffic Line Paint**

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

**MOVED by Councillors Mitchell and Stone that Council award Tender 60068210 Province of Nova Scotia, Halifax Regional Municipality Section, to Laurentide Atlantic Ltd., with the lowest evaluated quote for a Total Tender Price of \$53,768.10 including HST. Funding is provided in the 2000/2001 Operating Budget Account #R748-6517.**

Mr. Glen Pellerin, Traffic & Transportation, responded to questions of Councillor Walker regarding the paint. The Councillor stated some of the lines that have been painted early in the year may have to be repainted in the fall.

Responding to a question of Councillor Hetherington, Mr. Pellerin stated there are two portions of pavement parking, center line and intersection markings. Both are currently underway.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.4 Award RFP 00-178 for Design Services Police Headquarters Consolidation and Related Activities**

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

**MOVED by Councillors Downey and Uteck that Council authorize the award of Proposal #00-178 to AGRA Design Group for a total amount of \$85,250.00 plus HST to prepare a program of requirements for the Halifax Regional Police, undertake the space planning and interior design of the Gottingen Street building, and provide construction drawings and site services for modifications to the Gottingen Street station. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.5 Temporary Borrowing Resolution**

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

**MOVED by Councillors Hetherington and Greenough that:**

- 1. Council approve Temporary Borrowing Resolution 2000/01 in the amount of \$4,600,000.**
- 2. Council approve Temporary Borrowing Resolution 2000/01-02 in the amount of \$58,160,000. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.6 Pesticide By-Law Public Hearings**

C A staff report prepared for K. R. Meech, Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillors Read and Stone that the Public Hearing respecting By-Law P-800, the Pesticide By-Law, be held in one location, the Halifax Regional**

**Municipality Council Chamber in City Hall. Should the number of presentations be such to warrant continuation of the Public Hearing to further dates, those dates be identified for the benefit of the public prior to adjournment on May 23<sup>rd</sup>, and Council meet to continue the Public Hearing on future dates as may be required to hear all interested parties.**

Councillor Fougere expressed concern with the proposed dates for additional public hearings, if necessary, contained in the staff report. The Councillor suggested any additional public hearings should be scheduled on regular Council meeting dates to ensure all Councillors are available to attend. In response, Mr. Meech noted the dates in the report are only suggestions and Council can decide at the end of the first public hearing whether or not there is a need for additional public hearings, and the dates can be set at that time.

It was noted that the next regular Council meeting following the May 23<sup>rd</sup> Public Hearing will be Tuesday, June 13, 2000. Councillor Harvey expressed concern with the possible loss of continuity between hearings.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.7 Amendment to Administrative Order Number One  
Motion - Councillor Greenough**

C At the May 9, 2000 meeting of Regional Council, Councillor Greenough served Notice of Motion to amend Section 9 (8) of Administrative Order Number One in accordance with the staff report dated April 26, 2000, as amended and approved in principle by Council on May 2, 2000.

**MOVED by Councillors Greenough and Hetherington that Council amend Section 9 (8) of Administrative Order Number One in accordance with the staff report dated April 26, 2000, as amended and approved in principle by Council on May 2, 2000. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.8 Administrative Order Number 22 Respecting the Corporate Seal  
Motion - Councillor Harvey**

C At the May 9, 2000 meeting of Regional Council, Councillor Harvey served Notice of Motion, as a policy pursuant to Section 48 of the Municipal Government Act, Administrative Order 22, the purpose of which is to adopt a new official corporate seal bearing an imprint of the Corporate Coat of Arms.

**MOVED by Councillors Harvey and Snow that, as a policy pursuant to Section 48 of the Municipal Government Act, Council approve Administrative Order 22, the**

purpose of which is to adopt a new official corporate seal bearing an imprint of the Corporate Coat of Arms. **MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.9 Administrative Order Number 21 Respecting the Appointment of the Taxi and Limousine Inspector  
Motion - Councillor Cooper**

C At the May 9, 2000 meeting of Regional Council, Councillor Cooper served a Notice of Motion to introduce a motion to approve Administrative Order Number 21 Respecting the Appointment of the Taxi and Limousine Inspector.

**MOVED by Councillors Cooper and Adams that Council approve Administrative Order Number 21 Respecting the Appointment of the Taxi and Limousine Inspector. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Adams expressed thanks to Mr. Peter James, Regional Coordinator, By-Law Enforcement, for his work on behalf of the Taxi and Limousine Committee and the drivers.

**11.2.10 Heritage Tourism Strategy**

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

**MOVED by Councillors Stone and Blumenthal that Council approve the Heritage Tourism Strategy for Halifax Regional Municipality as recommended by the Program and Service Review Committee and the Executive Management Team. The Heritage Tourism Strategy is summarized in the staff report dated May 9, 2000 and is presented fully in the Heritage Tourism Strategy Binder. The strategy is fully compliant with the Multi-Year Financial Strategy and Corporate Guidelines. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.11 P3 Schools - Connections to the Municipality's Sewer**

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

**MOVED by Councillors Rankin and Uteck that Halifax Regional Council approve the process of flow monitoring and calculating the capital contributions proposed by Scotia Learning Centres as outlined in the staff report dated May 8, 2000.** In response to questions of Councillor Harvey, Mr. John Sheppard, Manager, Environmental and Development, stated permits to allow the connection have not yet been issued, and are pending the approval of this report. With respect to concerns

expressed by the Councillor regarding access to the school, Mr. Kulvinder Dhillon, Director, Public Works and Transportation, stated these concerns will be addressed as part of the occupancy permit for the school.

Councillor Kelly noted a correction in the staff report with respect to the name "Bedford South Junior High School." The Councillor noted this school is, in fact, a Primary to Grade 9 school.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.12 Case 00247: Request for Amendments to the Sackville & Planning Districts 14 & 17 (Shubenacadie Lakes) MPS and Land Use By-Laws and the Subdivision By-Law for former Halifax Co. Respecting Lands around First and Second Lakes**

This was addressed earlier in the meeting.

**11.2.13 Intersection Improvements - Fall River Road at Lockview Road**

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

Responding to a question of Councillor Snow, Mr. Dhillon stated June 13, 2000 is the target date for the staff report with respect to street paving in District 2, which was requested by Councillor Snow on March 21, 2000.

**MOVED by Councillors Snow and Streach that Council:**

- 1. Accept the cost sharing proposal from Scotia Learning Centres for the required improvements at the intersection at Fall River Road and Lockview Road.**
- 2. Approve the cost sharing amount up to \$50,000 upon completion of the work by Scotia Learning Centres and their partner Dexter Construction Company Ltd. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2.14 District Capital Funds Policy**

This item was addressed earlier in the meeting.

**12. MOTIONS - NONE**

**13. ADDED ITEMS**

**13.1 Councillor Uteck - Dog Restrictions in Point Pleasant Park**

Mr. Stephen King, Manager, Parks and Natural Services, responded to questions of Councillor Uteck with respect to dog restrictions in Point Pleasant Park. At the request of the Councillor, staff agreed to examine the possibility of allowing dogs on the waterfront in the park during the winter months.

**13.2 Councillor Rankin - Acquisition of Land Adjacent for Recreational Purposes**

Councillor Rankin requested a staff report to evaluate the merit of acquiring a portion of the property located adjacent to the Lakeside post office and/or a portion of the property located opposite the Ultramar on the St. Margaret's Bay Road (the Reardon property - about 1 acre) to allow for public access to Governor Lake. The Councillor submitted a plan of the area to be forwarded to the appropriate staff.

Council agreed to the request for a report.

**13.3 Councillor Mitchell - Paving for Foxhollow Drive, Tantallon**

This item was deferred to May 23<sup>rd</sup>, at the request of Councillor Mitchell.

**13.4 Property Matter - Street Closure - Forest Hills Parkway and Highway #7 and Panavista Drive**

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

**MOVED by Councillors Cooper and Sarto that Halifax Regional Council authorize staff to set a date of June 13, 2000 for a public hearing for consideration of HRM Administrative Order SC-16, concerning the closure of a portion of Forest Hills Parkway and Highway #7 identified as Parcel A and a portion of Panavista Drive identified as Parcel C on Attachment A of the staff report dated May 2, 2000.**

**FURTHER, that subject to approval of the street closure, that Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby:**

- 1. Parcel A, comprised of approximately 20,152.7 square feet, at a unit value of \$7.50 per square foot, for a total value of \$151,145.25 is conveyed to Sobeys Land Holdings Ltd.**

2. Parcel B, comprised of approximately 7043.9 square feet, at a unit value of \$7.50 per square foot, for a total value of \$52,829.25 is purchased from Sobeys Land Holdings Ltd., for street purposes, with funds to be deducted from the final settlement of the sale of Parcel A, and the balance of \$98,316.00 to be deposited in the Sale of Land Account.

**FURTHER, that the May 2, 2000 staff report not be released to the public.  
MOTION PUT AND PASSED UNANIMOUSLY.**

**13.5 Property Matter - Sale of 945 Tower Road**

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

**MOVED by Councillors Uteck and Fougere that Council approve revisions to the terms and conditions for the sale of 945 Tower Road to the Halifax Grammar School whereby the purchase price is reduced by \$45,000 from \$1,767,000 to \$1,722,000 and the closing date be changed to February 28, 2001 based upon the following schedule of payments: a 5% non refundable deposit within 48 hours of the approval of this recommendation by Council; an amount equal to 45% of the purchase price on August 31, 2000 and the balance of the purchase price on the closing date. Further, that the May 1, 2000 staff report not be released to the public. MOTION PUT AND PASSED UNANIMOUSLY.**

**13.6 Property Matter - Repurchase of Parcel Q-1B**

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

**MOVED by Councillors Kelly and Mitchell that Regional Council authorize the Mayor and Municipal Clerk to exercise the Municipality's rights to repurchase Parcel Q-1B on the Hammonds Plains Road from the Canadian Fractionation Corporation at the purchase price of \$1.00 plus the cost, if necessary, of paying out an existing construction lien on the property in the amount of \$259,610. The cost of paying out the mechanic's lien, if necessary, would be paid from the Sale of Land Reserve and recovered from the sale of the property. Further, that the May 1, 2000 staff report not be released to the public. MOTION PUT AND PASSED UNANIMOUSLY.**

**13.7 Property Matter - Sports Field Easement, Scotia Learning Centres**

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

**MOVED by Councillors Stone and Walker that Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into an easement agreement with Scotia Learning Ltd. to build a full size soccer field on municipal park property behind the P-3 school on Langbrae Drive based on the terms and conditions set out in the May 12, 2000 staff report. MOTION PUT AND PASSED UNANIMOUSLY.**

**13.8 Personnel Matter - Fire Services Contract**

This item was addressed earlier in the meeting.

**14. NOTICES OF MOTION**

**14.1 Councillor Stone**

**TAKE NOTICE** that at the next regular Regional Council meeting, to be held on Tuesday, 23<sup>rd</sup> day of May 2000, I propose to introduce as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-21. The purpose of which is to effect closure of a portion of Douglas Avenue, Parcel D.

**14.2 Councillor Adams**

**TAKE NOTICE** that at the next regular Regional Council meeting to be held on Tuesday, 23<sup>rd</sup> day of May 2000, I intend to introduce a motion THAT the wheelbase measurements of vehicles operating as taxis in HRM be a minimum of 105 inches or more and internal measurements to remain as currently listed in the By-Law. Any existing vehicles with wheelbase measurements of less than 105 inches at the time the By-Law is passed will be grandfathered.

**15. ADJOURNMENT**

**MOVED by Councillors Blumenthal and Greenough that the meeting adjourn at 9:05 p.m. MOTION PUT AND PASSED UNANIMOUSLY.**

Vi Carmichael  
Municipal Clerk