

**HALIFAX REGIONAL COUNCIL
MINUTES
OCTOBER 24, 2000**

PRESENT:

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

STAFF:

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

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1. INVOCATION

The meeting was called to order at 6:00 p.m. with the invocation.

Council observed a moment of silence in remembrance of Mr. Norman Sears, firefighter, who suddenly passed away earlier in the week.

PRESENTATION

Mr. Allan Billard presented Mayor Fitzgerald with a plaque commemorating the World Canoe Championships, which were held in Dartmouth during the summer.

2. PROCLAMATIONS

2.1 Lupus Awareness Month - October, 2000

Mayor Fitzgerald proclaimed the month of October, 2000 as Lupus Awareness Month in the Halifax Regional Municipality.

3. APPROVAL OF MINUTES - NONE

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

Deletions

1. Item 10.2.3 Diesel Fuel (Info Memo)

Councillor Sarto requested "Traffic Problems - Portland Valley Roadway" be deferred pending a meeting with the other area Councillors.

Additions

- 12.1 Councillor Sarto - Storage of Road Salt
- 12.2 Councillor Walker - Election List
- 12.3 Councillor McInroy - Foot Bridge Crossing Beck's Brook
- 12.4 Councillor McInroy - Seaside Elementary School (Info item #6)
- 12.5 Land Matter - Sale of Land - Block EP-A, 2240 Barrington Street
- 12.6 Property Matter - 2750 Dutch Village Road
- 12.7 Land Matter - Bedford Highway Sanitary Sewer Oversizing

Information Items

1. Memorandum from the Director, Corporate Real Estate Services dated October 20, 2000 re: Northwest Arm Drive Extension

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

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Council Decision on Case 00212 - Amendment to the MPS and Land Use By-Law Atlantic Street, Brussels Street and McLean Street (public hearing closed)(supp report)

- An excerpt from the Draft Regional Council minutes from October 17, 2000 was before Council.
- Correspondence from Vance Joudrey, 1816 Robie Street; Scott Lorette and Nina Gow, 5530 Atlantic Street; Donald Bauld and Xiaofei Song, 932 Brussels Street; and Guy Joudry, 948 McLean Street was before Council.
- A supplementary staff report, prepared for Mr. Ken Meech, Chief Administrative Officer, dated October 19, 2000, on the above noted was before Council.

CONFLICT OF INTEREST

Councillor Uteck declared a Conflict of Interest as she is a resident of the area in question.

Councillor Rankin noted the supplementary staff report identifies the majority of the total number of properties as being in favour of this proposal. The Councillor provided photographs showing the addition to the property in question. The Councillor advised he was supporting the recommendation as contained in the staff report.

MOVED by Councillor Rankin and Deputy Mayor Cunningham that Regional Council approve the amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-Law (text and map) as contained in Appendix A of the supplementary staff report dated October 19, 2000.

In response to Councillor Walker, Mr. Gary Porter, Planner, clarified which properties had signed the petitions in favour of the proposal.

MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

Mayor Fitzgerald read into the record correspondence from Mr. & Mrs. Paul Robertson commending and complimenting Ms. Vi Carmichael, Returning Officer, on a job well done during the municipal election.

9.1 Petitions - None

10. REPORTS

10.1 MEMBERS OF COUNCIL

10.1.1 Councillor Schofield - Construction of Walkway for Lancaster Drive and Chinook Avenue

Councillor Schofield advised that when Lancaster Ridge plans were finalized by the Department of Housing, the installation of a walkway from Lancaster Drive to Chinook Avenue had been included as part of those plans. The Department of Housing has since indicated they will not install this walkway but have agreed to pay \$2,000.00 towards the cost of a walkway. The Councillor noted this is a play area, emphasizing the importance of the walkway. The Councillor advised staff have indicated funding is available to undertake this work and requested a staff report on the finalization of this project.

10.1.2 Councillor Cooper - Procedures to Address Barking Complaints

Councillor Cooper noted there is difficulty in addressing barking complaints after 10:00 p.m. after the SPCA shuts down operations for the night. The Councillor requested a staff report on methods whereby barking complaints can be addressed after 10:00 p.m. and up until the time the SPCA resumes duties in the morning.

Councillor Sarto also noted there is also a problem with barking dogs in the early hours of the morning.

Councillor Colwell stated he supported the request for a staff report as the response from the SPCA when addressing similar complaints in his District has been less than satisfactory.

10.2 CHIEF ADMINISTRATIVE OFFICER

10.2.1 Tender 00-210 First Lake Drive, Paving Renewal and Storm Sewer, Sackville

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated October 16, 2000, on the above noted, was before Council.

MOVED by Councillors Harvey and Merrigan that Council award Tender No. 00-210, First Lake Drive, Paving Renewal and Storm Sewer, to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$315,570.00 and a Total Project Cost of \$362,906.00 as per the budget implication of the staff report. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.2 Tender 00-382 Stonehaven Road, Paving Renewal - Halifax

- A report prepared for Mr. Ken Meech, Chief Administrative Officer, dated October 13, 2000, on the above noted, was before Council.

MOVED by Councillors Read and Stone that Council:

1. **waive the abutters' right to petition against the installation of concrete curb and gutter and approve the installation of concrete curb and gutter on both sides of the street with the recovery of Local Improvement Charges by a frontage charge as per Council's policy.**
2. **award Tender No. 00-382, Stonehaven Road, Paving Renewal - Halifax, to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$151,771.25, and a Total Project Cost of \$174,537.00 as per the budget implications of the staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.3 Diesel Fuel (Info Memo)

Councillor Kelly requested this item be deferred pending receipt of additional information.

10.2.4 Municipal Rewards for Major Unsolved Crimes (Info Memo)

Councillor Schofield requested a staff report on the possibility of the appointment of a committee to look into the establishment of a reward for major unsolved crimes.

11. MOTIONS - NONE

12. ADDED ITEMS

- 12.1 Councillor Sarto**
(i) Storage of Road Salt

Councillor Sarto noted that the Portland Street salt shed had been demolished and requested a staff report on the possibility of the establishment of an alternate location for the storage of road salt in the Eastern Region.

(ii) Traffic Problem - Portland Valley Roadway

Councillor Sarto requested this item be deferred pending a meeting with the other area Councillors.

12.2 Councillor Walker - Election List

Councillor Walker noted that during the recent municipal election there were many calls from residents who were not on the voter lists and therefore, did not know their polling location. The Councillor advised he had placed the item on the agenda to ascertain whether during any future elections the municipality could do its own enumeration or use the Federal list which is the one generated from the income tax return. The Councillor also suggested that for future elections, individual rather than household notifications be used.

Councillor Walker requested Mayor Fitzgerald write to the Province of Nova Scotia with an enquiry as to who can access the Federal List of Electors and, if it is the Province that has to give authorization, then the Province be requested to enact appropriate legislation to provide access to the list by the Municipality.

12.3 Councillor McInroy - Foot Bridge Crossing Beck's Brook

Councillor McInroy requested a staff report on the proposal to replace the present bridge with a steel structure.

12.4 Councillor McInroy - Seaside Elementary School (Info Memo #6)

- Information Report from Karen MacTavish, Director of Parks & Recreation Services, dated October 19, 2000, on the above noted, was before Council.

Councillor McInroy requested Real Estate Services expedite the conveyance of the property as quickly as possible and, as HRM owns the property, an agreement by way of a memorandum of understanding rather than an official lease be prepared to expedite the process.

12.5 Land Matter - Sale of Land - Block EP-A, 2240 Barrington Street

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

MOVED by Councillors Downey and Blumenthal that Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with GBRF Properties Limited for the purchase of Block EP-A, 2240 Barrington Street, based on the key terms and conditions outlined in the staff report. Further, this report not be released to the public until, and if, the recommended transaction is finally concluded. MOTION PUT AND PASSED UNANIMOUSLY.

12.6 Property Matter - 2750 Dutch Village Road

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

MOVED by Councillors Hetherington and Schofield that:

- 1. Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Maritime Life Insurance Company for the purchase of 2750 Dutch Village Road based on the key terms and conditions outlined in the staff report;**
- 2. Council formally declare 2776 Dutch Village Road (Egan House) surplus to municipal requirements and authorize staff to proceed with the marketing of this property for sale;**
- 3. Council approve interim funding of \$150,000 from the Capital Reserve to conduct a detailed space planning and design for the Eric Spicer building;**
- 4. ** Council instruct staff to initiate the process to amend the Municipal Planning Strategy to redesignate 2750 Dutch Village Road from Residential Environments to Commercial; and,**
- 5. ** Council instruct staff to undertake Public Participation in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997;**

**** Parts 4 and 5 of this motion were subsequently rescinded at the December 5th, 2000, Regional Council meeting - see Item 8.1 - December 5th, 2000.**

- 6. This report not to be released to the public.**

Councillor Walker advised he would not be supporting the motion until confirmation was received from staff as to the location of the storefront operation and staff for the Western Region. He noted the new location must be accessible to the residents of the Western

Region.

In response to Councillor Adams regarding the public participation portion of the recommendation, Mr. Meech advised the intent is to rectify the present circumstance whereby the future general land use designation is residential yet the actual zoning and use is commercial. It would reconcile the two.

Councillor Adams suggested staff explore the possible use of some of the buildings in the Spryfield and Herring Cove Road area.

Councillor Rankin stated there needs to be a continuance of service levels; therefore, the storefront needs to remain in the same area.

MOTION PUT AND PASSED.

12.7 Land Matter - Bedford Highway Sanitary Sewer Oversizing

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

MOVED by Councillors Stone and Hetherington that Council approve the payment to Scotia Learning Centres equivalent to the trunk sewer charges on the properties of Oceanbrook Development, Shaunslieve Development and Prince's Lodge Development. Further, the report can be released after ratification by Council. MOTION PUT AND PASSED.

13. NOTICES OF MOTION - NONE

Mayor Fitzgerald warmly thanked the members of Council and staff for their help and assistance over the last five years. As this was the last meeting of this Council, the exiting Councillors were provided an opportunity to say their farewells and offer congratulations to the Councillors-Elect and to the Mayor-Elect.

14. ADJOURNMENT

MOVED by Deputy Mayor Cunningham and Councillor Blumenthal that the meeting be adjourned at 8:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

**Vi Carmichael
Municipal Clerk**

